

RESOLUTION NO. 14-2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A WIRELINE CROSSING AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY TO PROVIDE FIBER OPTIC NETWORK COMMUNICATIONS TO THE SITE LOCATED UNDER THE BRIDGE ON PEACHTREE ROAD AND UNION PACIFIC RAILROAD.

WHEREAS, the City of Mesquite ("City") and the Mesquite Independent School District ("MISD") entered into an Memorandum of Understanding for Agreement for Designing and Construction of Fiber Optic Network Loop around the City on March 21, 2007; and

WHEREAS, Future Telecom, Inc., has entered into a contract with MISD for the construction of fiber optic network communications; and

WHEREAS, this crossing of the Union Pacific Railroad along Peachtree Road is necessary to complete the fiber optic loop through the southwest part of the City; and

WHEREAS, the City Council has carefully reviewed and considered the Wireline Agreement ("Agreement") with the Union Pacific Railroad; and

WHEREAS, the City Council has determined that participating in the Agreement is in the best interest of the citizens of Mesquite.

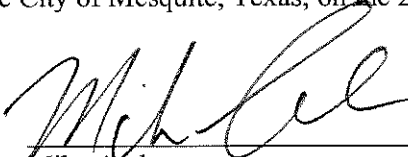
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Manager is hereby authorized to execute and approve the Wireline Crossing Agreement ("Agreement") with the Union Pacific Railroad Company.

SECTION 2. That the City Secretary is hereby authorized and directed to attest said Agreement and to attach to each duplicate original of said Agreement a certified copy of this resolution.

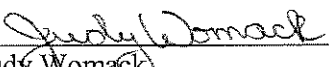
SECTION 3. That this resolution shall take effect immediately from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 2nd day of April, 2007.



Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney