

RESOLUTION NO. 2013 - ____

RESOLUTION AUTHORIZING AN AMENDMENT TO THE LICENSE AGREEMENT TO CENTURYLINK (FORMER LICENSEE - LORAIN TELEPHONE COMPANY) ASSUMED BY THE LORAIN PORT AUTHORITY THROUGH THE ACQUISITION OF THE CSX RAILROAD CORRIDOR (1998).

WHEREAS, the Lorain Port Authority through Resolution No. 1998-83 passed December 8, 1998 acquired a CSX Railroad Corridor in 1998 to provide access to the Black River Landing site and adjacent parcels; and

WHEREAS, through the acquisition of said Railroad Corridor from CSX, the Lorain Port Authority assumed several License Agreements for property adjoining the Railroad Corridor property; and

WHEREAS, the Lorain Telephone Company (now CenturyLink) previously entered into an Agreement with B & O Railroad (predecessor to CSX) regarding their equipment and access to on November 15, 1959; and

WHEREAS, the current sum paid annually by CenturyLink for said Licenses is \$2,200.00; and

WHEREAS, due to limited services, said license area CenturyLink has requested reduction in the annual License Fee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lorain Port Authority:

SECTION I. That the Lorain Port Authority agrees to a reduction in the License Agreement Fee for the License assumed by the Lorain Port Authority for the acquisition of the Railroad Corridor from CSX in 1998.

SECTION II. That the current annual fee paid by CenturyLink will be reduced from \$2,200.00 annually to \$1,500.00 annually.

SECTION III. It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

Ayes:

Nays:

Abstain:

Adopted:

Carl Nielsen, Chairman

Richard Novak, Executive Director