


## ACCEPTANCE

December 6, 2011

Auditor of the City of Portland  
City Hall Room 140  
1221 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97204

This is to advise the City of Portland, AboveNet Communications, Inc. f/k/a Metromedia Fiber Network Services, Inc. hereby accepts the terms and provisions of Ordinance No. 185023, passed by the Portland City Council on November 30, 2011, **Extend term of a franchise granted to AboveNet Communications, Inc. f/k/a Metromedia Fiber Network Services, Inc. to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 175162)**, and in consideration of the benefits received thereunder by the corporation, AboveNet Communications, Inc. f/k/a Metromedia Fiber Network Services, Inc., hereby agrees to abide by and perform each and all of the terms and provisions thereof.

  
\_\_\_\_\_  
(Signature - Title)\*

Rajiv Datta  
Chief Operating Officer  
AboveNet Communications, Inc.  
360 Hamilton Avenue  
White Plains, New York 10601  
Phone: 914.421.6700  
Email: rdatta@above.net

Approved as to form: **APPROVED AS TO FORM**

\_\_\_\_\_  
City Attorney   
**CITY ATTORNEY**

\*When an acceptance is signed by an officer of a firm or corporation, his or her official title must be stated.