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MARSHELL TELECOM, INC. DBA LIGHTCURVE
TELECOMMUNICATIONS FRANCHISE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of 7/19/2026, 2026, by and between the City of Lacey, a municipal corporation of the State of Washington, hereinafter called "City" and Marshell Telecom, Inc. dba Lightcurve, a Washington corporation, hereinafter called "Lightcurve."

WHEREAS, Lightcurve has requested the City to grant a franchise to install facilities to provide telecommunications, internet access, and private line services to potential customers, and

WHEREAS, the City has enacted Chapter 5.60 of the Lacey Municipal Code, which provides for the requirements, conditions, and procedures for installation of such facilities in the City right-of-way and the granting of a franchise for the same, and

WHEREAS, Lightcurve has paid to the City a franchise application fee the sum of Three Thousand Dollars ($3,000.00).

NOW, THEREFORE, IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. The City hereby grants a franchise to Lightcurve to install facilities to provide telecommunications, internet access, and private line services to potential customers, subject to the following conditions:

A. This grant and the requirements and procedures to be followed shall specifically be subject to all provisions of Chapter 5.60 of the Lacey Municipal Code and the Development Guidelines and Public Works Standards of the City.

B. The performance bond required by the terms of Lacey Municipal Code Section 5.60.140B shall be acquired and shall remain in place until the Director of Public Works has approved the work. The bond shall then be maintained for one year after the approval of the work.

C. Lightcurve shall, in addition to the franchise application fee provided to the City above, pay to the City all right-of-way permits or other fees generally applicable to all other persons doing business in the City. In addition, Lightcurve shall pay to the City that certain public utility business tax levied by Chapter 3.01 of the Lacey Municipal Code as the same now exists or may hereafter be amended.

D. Before commencing any work pursuant to this agreement, Lightcurve shall first file with the City an application for a permit to do such work, accompanied by drawings showing the position and location of all conduit, wire, fiber or any other equipment sought to be constructed, laid, installed or erected the depth below the surface of the ground and the relative position to existing streets, other utilities and other public places or ways.

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E. Lightcurve shall, at all times, keep a complete set of plans, specifications and records showing the exact location and depth of all such facilities. These records shall be subject to inspection by the City at any reasonable time. In addition, Lightcurve shall provide to the City this information in the electronic format specified by the City.

F. Lightcurve shall place any new facilities underground in areas where existing telecommunications and cable facilities are installed underground. In areas where existing facilities are installed above ground, Lightcurve may install facilities above ground, and at such time as the City requires other utilities to install facilities in the area underground, Lightcurve will move its facilities underground.

G. Any new facilities to be located above-ground shall be placed on existing utility poles. No new utility poles shall be installed in connection with placement of new above-ground facilities.

2. The term of this agreement shall be five (5) years from the date of execution. Such term may be extended under conditions approved by both the City and Lightcurve, its successors and assigns.

In witness whereof, the parties have hereunto set their hands this day and date first above written.

CITY OF LACEY

Signed by:
By Rick Walk
22C695DFC46F4FC...
Rick Walk, City Manager

MARSHELL TELECOM, INC. DBA LIGHTCURVE

Signed by:
By: Danielle Clausen
154E74A3D802499...
Its: SVP Finance

ATTEST:

DocuSigned by:
Elissa Fontaine
0A8D4C422A71483...
Elissa Fontaine, City Clerk

APPROVED AS TO FORM:

Signed by:
Dave Schneider
E60EBB47FF4C4D1...
David Schneider, City Attorney