

SECTION 49. Survival of Liability

All obligations of Trucom and City hereunder and all warranties and indemnities of Trucom hereunder shall survive termination of this Agreement.

This Agreement executed this ____ day of October 2012.

City of Tempe,
an Arizona municipal corporation

Citynet Arizona LLC d/b/a Trucom
an Arizona limited liability company

By: _____
Mark W. Mitchell
Mayor

By: Mark Montano
Name: Mark Montano
Title: CEO

Attest:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

Exhibit A-1 – Route Map of Fiber within Tempe (no conduit ownership)

Exhibit A-2 – Loop 2 containing 12 strands of fiber (10 dark, 2 lit)

Exhibit A-3 – Loop 3 containing 12 strands of fiber (12 dark)

Exhibit B – Insurance Certificate

Exhibit C – Letter of Credit form