

01 NCAC 06F .0104 TERMS AND CONDITIONS

The following terms and conditions shall apply to the location and installation of equipment by a broadband provider on state owned or leased property:

- (1) All lease and license agreements shall be a five year term with two optional five year renewal periods.
- (2) All lease and license agreements shall include an access agreement and a non-exclusive utility easement.
- (3) The fair market value of the state-owned or leased property is subject to an annual rate adjustment as set forth in the lease.
- (4) Rent shall be paid annually on the anniversary of the executed lease.
- (5) An Agency may require an escrow fund as part of the broadband provider's lease or license agreement.
- (6) Site specific protocols as set out in the lease and license agreement for construction and maintenance procedures shall be adhered to by the Applicant during installation and during any maintenance.
- (7) Upgrades or changes to equipment shall be reviewed by the Division of State Property for compliance with the existing lease prior to any changes to equipment.
- (8) The Agency shall not supply space in any existing equipment buildings, nor electricity.

History Note: Authority G.S. 146-29.1; 146-29.2; 146-30; S.L. 2018-5, s. 37.1(a)-(i);
Eff. August 1, 2019.