

ORDINANCE NO. 450-2

AN ORDINANCE GRANTING TO CUMBERLAND VALLEY CABLE T.V. COMPANY, ITS SUCCESSORS AND ASSIGNS, A NONEXCLUSIVE FRANCHISE TO ERECT, CONSTRUCT, MAINTAIN AND OPERATE COMMUNITY ANTENNA TELEVISION SYSTEM FACILITIES, AND ADDITIONS THERETO, IN, UNDER, OVER, ALONG, ACROSS AND UPON THE HIGHWAYS, PUBLIC WAYS, BRIDGES AND OTHER PUBLIC PLACES IN PULASKI COUNTY, KENTUCKY, FOR THE PURPOSE OF TRANSMISSION AND DISTRIBUTION OF CABLE TELEVISION IMPULSES AND TELEVISION ENERGY TO THE INHABITANTS OF THE NORTHERN PART OF PULASKI COUNTY, KENTUCKY, REGULATING THE SAME, AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ordinance No. 450.1 of the Pulaski County Fiscal Court, ("Ordinance No. 450.1"), the Pulaski County Fiscal Court created a Nonexclusive Franchise (as defined in Ordinance No. 450.1);

WHEREAS, in compliance with the requirements of Ordinance No. 450.1, and the law of the Commonwealth of Kentucky, the Pulaski County Fiscal Court duly advertised for bids for a Nonexclusive Franchise;

WHEREAS, the Pulaski County Fiscal Court, Kentucky, has publicly examined and considered all bids for a Nonexclusive Franchise; and

WHEREAS, the Pulaski County Fiscal Court, Kentucky, taking into consideration all factors held relevant thereto under Kentucky law, has found Cumberland Valley Cable T.V. Company to be the highest and best bidder for a Nonexclusive Franchise in the northern part of Pulaski County, Kentucky, as shown by the attached map, as modified.

BE IT ORDAINED by the Pulaski County Fiscal Court, Kentucky as follows:

SECTION I

The Pulaski County Fiscal Court, Kentucky, hereby grants to Cumberland Valley Cable T.V. Company, its successors and assigns, a Nonexclusive Franchise to erect, construct, operate and maintain a community antenna television system in the northern part of Pulaski County, Kentucky, as shown on the attached map, as modified, for a period twenty (20) years from and after the passage of this ordinance, pursuant to the authority and provisions of Ordinance No. 450.1, and pursuant to the provisions set forth in the bid of Cumberland Valley Cable T.V. Company, a copy of which is attached hereto and incorporated herein by reference.

SECTION II

The grant of this Nonexclusive Franchise is conditioned upon acceptance by Cumberland Valley Cable T.V. Company of all provisions, terms and conditions of Ordinance No. 450.1.

SECTION III

Cumberland Valley Cable T.V. Company shall pay the costs of publishing this ordinance, otherwise the same shall be null and void and of no effect.

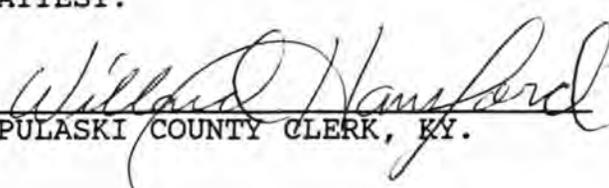
SECTION IV

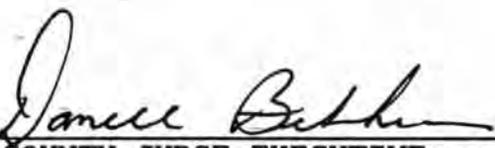
This ordinance shall be enacted upon its second reading to be held at the regular meeting of the Pulaski County Fiscal Court

held on October 26, 1988, and shall become effective upon its publication one (1) time in the Commonwealth-Journal, a newspaper of general circulation in the County of Pulaski and the Clerk of Pulaski County, Kentucky, is hereby ordered and directed to cause a copy of this ordinance to be so published.

Adopted this 26th day of October, 1988, upon a motion of Magistrate Wiles, seconded by Magistrate McClendon and a unanimous roll call vote.

ATTEST:

  
PULASKI COUNTY CLERK, KY.

  
COUNTY JUDGE EXECUTIVE,  
PULASKI COUNTY, KY.

ACCEPTANCE OF NONEXCLUSIVE FRANCHISE

Cumberland Valley Cable T. V. Company, intending to be legally bound hereby, hereby accepts as a binding contract all of the provisions, terms and conditions set forth in this Ordinance No. 450.2, in Ordinance No. 450.1 of the Pulaski County

Fiscal Court, Kentucky, dated the 28th day of September, 1988,  
and in the bid of Cumberland Valley Cable T.V. Company dated the  
11th day of October, 1988.

Dated this 26th day of October, 1988.

CUMBERLAND VALLEY CABLE T. V. COMPANY

BY: *Alton E. Blakley*  
ALTON E. BLAKLEY  
SUCCESSFUL GRANTEE OF FRANCHISE

The outside boundaries of the territory covered by this franchise are

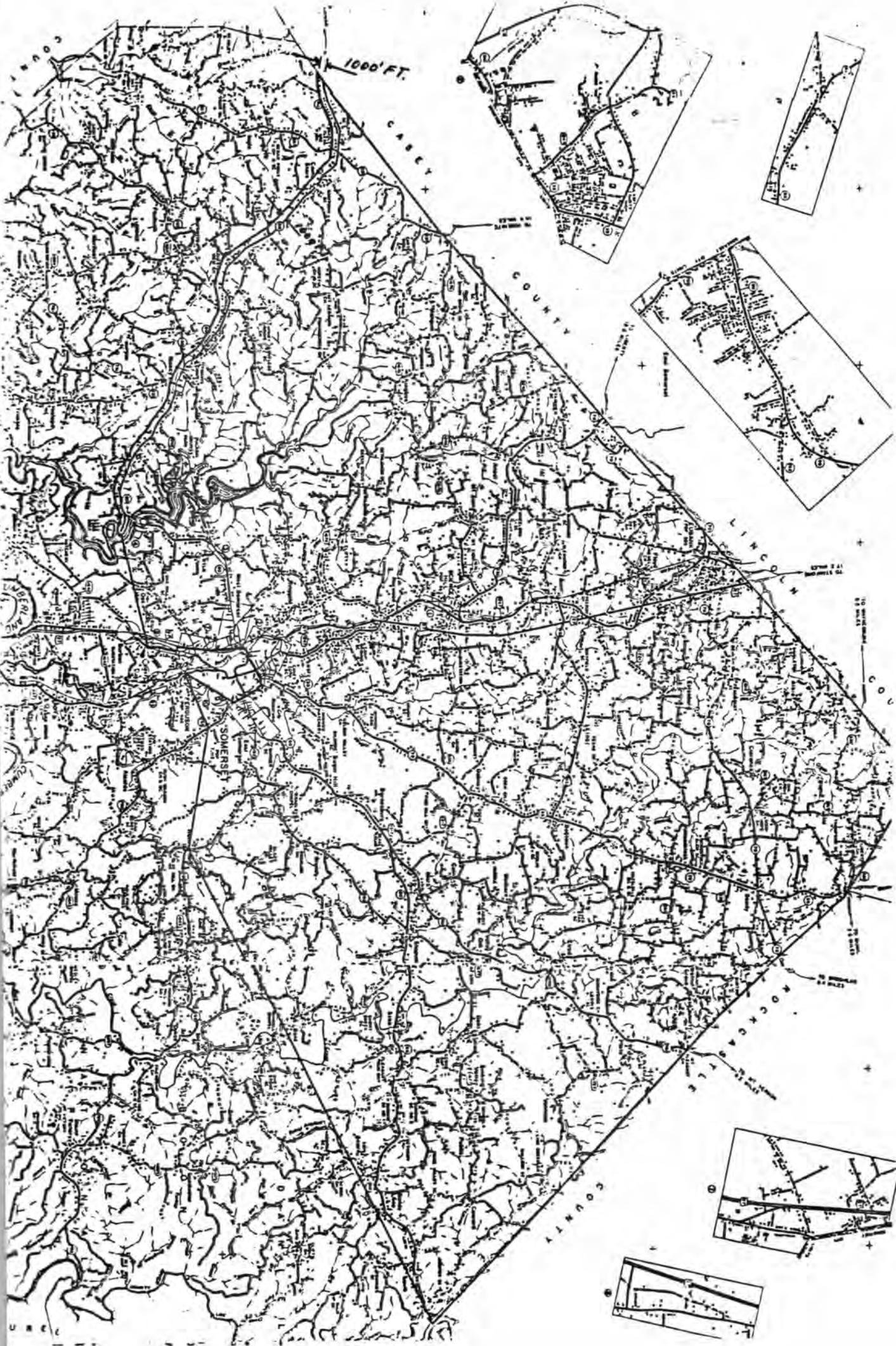
defined as follows:

All of Pulaski County, Kentucky, lying north of the boundary line hereinafter set out, which runs as follows:

Starting at a point near the western boundary line of Pulaski County, Kentucky, and Kentucky Highway #30, which is 1000 feet south of Kentucky Highway #80 at the intersection of Kentucky Highway #80 and the Casey County line; thence continuing an eastwardly direction 1000 feet south of and parallel to Kentucky Highway #80 to Lee's Ford Dock; thence from Lee's Ford Dock in a straight line to the intersection of Allen's Branch and old U. S. Highway #27, south of Somerset, Kentucky; thence in a northwardly direction and continuing around and binding upon the present Somerset City Limits to the intersection of Sherman and Garrett Streets, in what is now known as White City; thence in a straight line in an eastwardly direction to its intersection with Roy Thompson's southeast property line on the west side of Rush Branch Road; thence continuing in a straight line in an eastwardly direction to the Pitman Creek bridge at Ruth, Kentucky; thence in a straight line in a northeastwardly direction to a point 1000 feet south of the intersection of East Kentucky Highway #80 and the Rockcastle County, Kentucky, line.

For plat of same, see Plat Book 8, Page 11, Pulaski County Court Clerk's Office, Kentucky.

The abovedescribed area and map of same attached hereto as Exhibit "1A" shall be deemed amended to delete therefrom any areas which have become a part of the City of Somerset since 1968 and which may have heretofore been included in a franchise issued by the City of Somerset or which may hereafter be included by virtue of now being a part of the City of Somerset.



1000' FT.

CASEY COUNTY

COUNTY

LINCOLN COUNTY

SOMERSET COUNTY

COUNTY

