

RESOLUTION NUMBER 46

A RESOLUTION GIVING NOTICE OF INTENTION TO GRANT A LICENSE TO WESTERN CABLE SYSTEMS, INC., A NEVADA CORPORATION, DOING BUSINESS AS SAN LUIS CABLE T.V. OR TO VALLEY TELECASTING CO., OF YUMA, ARIZONA.

WHEREAS, the San Luis Town Council has received an application from Western Cable Systems, Inc., a Nevada Corporation and Valley Telecasting Co. of Yuma, Arizona, to obtain a license to construct, operate, and maintain a cable television and FM distribution system within the Town of San Luis, Arizona; and

WHEREAS, pursuant to Section 9-506, et. seq., of the Arizona Revised Statute, the Town of San Luis, Arizona, has authority to grant such license, after notice is given to the public; and

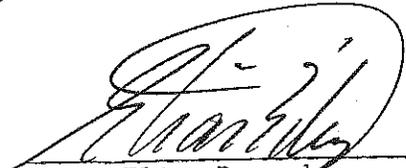
WHEREAS, the Town Council of San Luis, Arizona, deems it to be the best interest of the Town of San Luis to grant such license to Western Cable System, Inc. or Valley Telecasting Co. of Yuma, Arizona.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Town Council of San Luis, Arizona, intends to pass an ordinance granting a license to Western Cable Systems, Inc., a Nevada Corp. or Valley Telecasting Co. of Yuma, Arizona, on substantially the same terms and conditions as expressed herein.
2. Western Cable System, Inc., or Valley Telecasting Co. shall be granted said license for the use of the rights of way upon, over, under, across, and along the streets, alleys, and public grounds of San Luis, Arizona, for its use and the purpose of erecting and constructing and maintaining all necessary, appropriate, or convenient poles, pole lines, posts, wires, coaxial wires, cross arms, braces, and all other useful fixtures and appurtenances in order to properly construct, extend, maintain, and operate a cable television antenna service in the Town of San Luis, Arizona to serve the inhabitants thereof for a period of twenty-five (25) years from the passage of this resolution.
3. Western Cable Systems, Inc., or Valley Telecasting Co. shall construct, operate, and maintain said cable television system and plant in compliance with all valid laws, ordinances, and regulations as may then be in effect. Said television system, including FM distribution systems, shall be adequate for the full performance of Western Cable Systems, Inc. or Valley Telecasting Co. duties and obligations under said license and shall not interfere with the passage of persons or vehicles or the safety of persons or property.
4. Western Cable Systems, Inc., or Valley Telecasting Co. shall, at its own expense, repair any damage to the public streets caused by the construction of said cable television antenna system.
5. Said license shall grant to said company the right to furnish television service of a minimum of thirteen (13) basic television

6. Said license shall further provide that Western Cable Systems, Inc. or Valley Telecasting Co., its successors or assigns, shall pay a license fee to San Luis, Arizona, equal to THREE PERCENT (3%) OF THE gross receipts collected by the company derived from the sale of basic television services as more particularly set forth on Exhibit "A" attached hereto and incorporated herein by this reference thereto. However, such service will not include any common carrier microwave toll charge, if any, or satellite charge paid by Western Cable Systems, Inc., or Valley Telecasting Co. to any Supplier of its programming.
7. Said license shall further provide that Western Cable System, Inc., or Valley Telecasting Co. shall make cable television service available to the inhabitants of San Luis within six (6) months from the day provide for said license fee to be paid monthly by Western Cable Systems, Inc., or Valley Telecasting Co., to the Town of San Luis, Arizona, payable within thirty (30) days of the first day of each calendar month. Said license shall, further, provide that Western Cable System, Inc. or Valley Telecasting Co., shall maintain public liability and property damage insurance coverage in an amount not less than FIVE HUNDRED THOUSAND DOLLARS (500,000) for single injury, ONE MILLION DOLLARS (1,000,000) for single accident, and property damage of not less than FIFTY THOUSANDS DOLLARS (50,000) and, further, that Western Cable Systems, Inc., or Valley Telecasting Co. shall protect and save harmless the Town of San Luis from all damage and loss arising from or by reason of the construction or operation of a cable television system by Western Cable Systems, Inc. or Valley Telecasting Co.
8. Said license shall, further, require said Western Cable Systems, Inc., or Valley Telecasting Company to keep current during the life of this license herein granted a statement setting forth the conditions of service, rates, and charges applicable to the company's customers.
9. The Town Clerk is hereby directed to publish this Resolution in full in a qualified newspaper once a week for two consecutive weeks and to post the same on the Town Hall at least fourteen (14) days prior to the public hearing to be held on this matter.
10. A public hearing regarding the execution of the license as described herein shall be held on the 23rd day of March, 1983, in the San Luis Town Hall Building at 7:30 P.M. o'clock.

PASSED AND ADOPTED this 26th day of January, 1983 by the Mayor and Town Council of the Town of San Luis, Yuma County, State of Arizona.

  
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Mayor Elias Bermudez

ATTEST:

