

ORDINANCE NO.: 042202

AN ORDINANCE GRANTING TO ADELPHIA A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN A SPECIFIED AREA OF THE COUNTY OF BRECKINRIDGE, KENTUCKY, REGULATING THE SAME; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ordinance No. 022502 of the Fiscal Court of the County of Breckinridge, Kentucky ("Ordinance No. 022502"), the County of Breckinridge, Kentucky (the "County of Breckinridge") created a Nonexclusive Franchise (as defined in Ordinance No. 022502);

WHEREAS, in compliance with the requirement of Ordinance No. 022502 and the law of the Commonwealth of Kentucky, the County of Breckinridge duly advertised for bids for one or more Nonexclusive Franchises;

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

WHEREAS, the Fiscal Court of the County of Breckinridge taking into consideration all factors held relevant thereto under Kentucky law, has found Adelphia to be the highest and best bidder for a Nonexclusive Franchise;

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

SECTION 1

The County of Breckinridge hereby grants to Adelphia a Nonexclusive Franchise to construct, operate and maintain a community antenna television system within the unincorporated area of Harned and its environs in the County of Breckinridge for a period of fifteen (15) years from and after the passage of this ordinance, pursuant to the authority and provisions of Ordinance No. 022502, and pursuant to the provisions set forth in the bid of Adelphia, 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 Adelpkia of all the provisions, terms and conditions of Ordinance No. 022502

SECTION III

Adelpkia 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, and shall become effective upon its publication one (1) time in a newspaper of general circulation in the County of Breckinridge and the Clerk of the Fiscal Court of Breckinridge is hereby ordered and directed to cause a copy of this ordinance to be so published.

Introduced, publicly read, and approved on first reading, this 22nd day of April, 2002.

Publicly read and approved on second reading, this 13th day of May, 2002.

ATTEST:

[Signature]
FISCAL COURT CLERK

COUNTY OF BRECKINRIDGE, KENTUCKY
[Signature]
COUNTY JUDGE/EXECUTIVE

ACCEPTANCE OF NONEXCLUSIVE FRANCHISE

Adelpkia, 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. 042202, in Ordinance No. 022502 of the Fiscal Court of the County of Breckinridge, Kentucky dated March 25, and in the bid of Adelpkia dated April 8, 2002.

Dated this _____ day of _____, 2002.

ADELPHIA

By: ADELPHIA

By: _____