

ORDINANCE NO. 55

AN ORDINANCE EXTENDING THE TERM OF THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE COUNTY OF CASWELL, NORTH CAROLINA AND THREE RIVERS CABLE ASSOCIATES, L.P., D/B/A ADELPHIA CABLE COMMUNICATIONS

WHEREAS, the County of Caswell ("County") and Three Rivers Cable Associates, L.P., d/b/a Adelpia Cable Communications ("Grantor") entered into a cable television franchise agreement which expired on August 2, 2004; and

WHEREAS, the County and Grantor mutually agree to extend the current Cable Television Franchise Agreement effective August 2, 1994 between the County of Caswell, North Carolina ("Grantor") and Three Rivers Cable Associates, L.P., d/b/a Adelpia Cable Communications ("Grantee")(the "Franchise"), through August 2, 2005 or until such time as the parties enter into a renewal franchise agreement. During said extension, the terms and conditions of the current Franchise shall remain in full force and effect; and

WHEREAS, the County and Grantor hereby reserve all rights under applicable provisions of the Cable Act, including Sections 626 and 635. Nothing herein shall be deemed or construed as a waiver, release, or surrender of any right that either party may have under the Cable Act or any applicable law; and

WHEREAS, execution of this extension shall neither constitute an assumption or rejection by Grantee of the original Franchise nor a waiver of Grantee's rights respecting the Franchise, including, without limitation, all of Franchisee's rights under Section 365 of the Bankruptcy Code, 11 U.S.C. Section 365.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS THAT:

The term of the Cable Television Franchise Agreement between the County and Three Rivers Cable Associates, L.P., d/b/a Adelpia Cable Communications is extended through August 2, 2005.

ADOPTED THIS THE 7TH DAY OF SEPTEMBER, 2004, after having been read and adopted at two regularly scheduled meetings of August 16, 2004, and September 7, 2004.

County of Caswell

ATTEST: County Seal

M. O. Battle
M. O. Battle, Chairman

Wanda P. Smith
Wanda P. Smith, Clerk to the Board

ORDINANCE

A ORDINANCE EXTENDING THE TERM OF THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE COUNTY OF CASWELL AND THREE RIVERS CABLE ASSOCIATES, L. P., D/B/A ADELPHIA CABLE COMMUNICATIONS

WHEREAS, the County of Caswell ("County") and Three Rivers Cable Associates ("Grantee") entered into a cable television franchise agreement on August 2, 1994 and subsequently the term was extended to August 2, 2005; and

WHEREAS, the County and Grantee mutually agreed to extend the term of the agreement to July 1, 2007; and

WHEREAS, Comcast has entered into an asset purchase agreement with Time Warner and Adelphia to purchase the assets of Adelphia; and

WHEREAS, the purchase agreement will not close until 2006 and it will be in the best interest of the County to extend the term of this agreement to July 1, 2007 in order to allow all parties to close the agreements and afford the County sufficient time to renegotiate a franchise with Comcast;

WHEREAS, the County and Grantee hereby reserve all rights under applicable provisions of the Cable Act, including Sections 626 and 635. Nothing herein shall be deemed or construed as a waiver, release or surrender of any rights that either party may have under the Cable Act or any applicable law; and

WHEREAS, execution of this extension shall neither constitute an assumption or rejection by Grantee of the original franchise nor a waiver of Grantee's rights respecting the franchise, including, without limitation, all franchisee's rights under Section 365 of the Bankruptcy Code, 11 U.S.C.;

NOW THEREFORE, BE IT ORDAINED THAT: The term of the Cable Television Franchise Agreement with Adelphia is extended to July 1, 2007.

Adopted this the 17th Day of September 2005.

Adopted this 17th day of October 2005 after having been read and adopted at two regularly scheduled meetings of October 3, 2005 and October 19, 2005.
17 (1005)

County of Caswell


Nate Hall, Chairman

ATTEST:


Wanda Smith, Clerk to the Board