ORDINANCE NO. 2101

AN ORDINANCE of the City of Kent, Washington, authorizing a non-exclusive franchise to operate a cable communication system (CATV) within the city limits of the City of Kent, Washington. (CLEARVIEW T.V. CABLE INC.)

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Purpose: This franchise shall constitute an agreement between the City of Kent and Clearview TV Cable, Inc. (Grantee) to construct, maintain and operate a CATV system for the distribution of television signals.

Section 2. Length of Franchise: The length of this franchise shall be for a term of 15 years from the date of acceptance by the Grantee.

Section 3. Terms of Franchise: This franchise granted to Clearview TV Cable, Inc. shall not be deemed to be exclusive and shall not in any manner prevent the City of Kent from granting other or further franchises. The Grantee agrees to all the terms, conditions, requirements, obligations and duties as outlined in Ordinance 2093 dated May 15, 1978 of the City of Kent as passed by the Council of the City of Kent, as may be amended from time to time. A true and correct copy of said Ordinance is attached hereto as Exhibit A and incorporated herein as if fully set forth.

Section 4. Franchise Fee: Grantee shall pay unto the City of Kent, quarterly, on or before the 10th day of each April, July, October and January, a sum equal to three percent (3%) of the gross revenue received by the Grantee as more particularly set forth in Section 6, Franchise Fee, or Ordinance 2093, same being Exhibit A attached hereto.

Section 5. Amendment of Franchise: The Kent City Council under its police powers reserves the right to amend any Section of this Ordinance at any time.

Section 6. Condemnation: If, during the term of the
franchise, or any extension thereof, the City shall acquire by purchase or condemnation any of Grantee's property or assets maintained or used hereunder, no greater sum shall be allowed for the value of the rights herein granted, in addition to all other elements affecting the value of such purchased or condemned property, then the actual cost of obtaining the franchise.

Section 7. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 5 day of June, 1978.

APPROVED the 6 day of June, 1978.

PUBLISHED the 8 day of June, 1978.

I hereby certify that this is a true copy of Ordinance No. 2101, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK (SEAL)