

RESOLUTION NO. 2009-10-034R

**A RESOLUTION GRANTING COMCAST OF ILLINOIS/INDIANA/OHIO,
LLC,
A FRANCHSIE EXTENSION TO JANUARY 1, 2010**

WHEREAS, effective March 1, 1994, the City of Urbana, Illinois ("City") granted a Franchise Agreement for Cable Television Services ("Franchise") to Time Warner Entertainment Company, L.P; and

WHEREAS, the Franchise is currently held by Comcast of Illinois/ Indiana/ Ohio, LLC. ("Comcast"); and

WHEREAS, pursuant to Section 47 U.S.C. 546(a) Comcast, or its predecessor in interest, provided notification to the City of Comcast's intent to seek renewal of the Franchise under 47 U.S.C. 546(a-g); and

WHEREAS, pursuant to Section 47 U.S.C. 546(a) the City properly commenced franchise renewal proceedings; and

WHEREAS, the City and Comcast have agreed in writing to extend the deadline for City action on Comcast's formal proposal until January 1, 2010; and

WHEREAS, the City and Comcast are also engaged in good faith informal renewal negotiations pursuant to Section 47 U.S.C. 546(h) but have so far been unable to reach agreement on the terms for a renewed franchise; and

WHEREAS, nothing contained herein shall in anyway diminish either party's rights under the formal renewal process 47 U.S.C. 546(a-g) or applicable state law; and

WHEREAS, the Franchise expired on February 28, 2009; and

WHEREAS, the City extended the Franchise to August 31, 2009; and

WHEREAS, the City does not desire a gap in cable service for its residents nor in Comcast's authority to provide cable services in the City; and

WHEREAS, both the City and Comcast desire to expressly reserve all of their respective rights under state and federal law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. Pursuant to Section 1.4 of the Franchise, the Franchise is hereby amended by extending the term of the Franchise from August 31, 2009 through and including January 1, 2010.

2. Except as specifically modified hereby, the Franchise shall remain in full force and effect.

3. The City and Comcast hereby agree that neither waives any rights either may have under the Franchise or applicable law.

4. The City and Comcast have agreed in writing to extend the deadline for City action on Comcast's formal renewal proposal until January 1, 2010.

5. This Resolution shall become effective upon the occurrence of both of the following conditions: (1) The Resolution being passed and adopted by the City Council of the City of Urbana; and (2) Comcast's acceptance of this Resolution within fourteen (14) days from the date this Resolution is passed and adopted.

PASSED by the City Council this _____ day of _____
2009.

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____
2009.

Laurel Lunt Prussing, Mayor

ACCEPTANCE

Comcast of Illinois/ Indiana/ Ohio, LLC ("Comcast"), hereby acknowledges the City of Urbana, Illinois Resolution No. _____ attached hereto and hereby accepts the terms, provisions and recitals of the Resolution and agrees to be bound by the Franchise to the extent consistent with applicable laws.

DATED _____, 2009
COMCAST OF ILLINOIS, INDIANA, OHIO, LLC

By: _____

Its: _____

SWORN TO BEFORE ME, this
_____ day of _____, 2009

NOTARY PUBLIC