

RESOLUTION NO. 2010-05-014R

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF URBANA,
ILLINOIS**

**GRANTING COMCAST OF ILLINOIS/ INDIANA/ OHIO, LLC,
A FRANCHISE EXTENSION TO AUGUST 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 undertaken good faith informal renewal negotiations pursuant to Section 47 U.S.C. 546(h) but have 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 April 30, 2010; 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 April 30, 2010 through and including August 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. 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 the this Resolution within fourteen (14) days from the date this Resolution is passed and adopted.

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

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,

_____.

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 _____, 2010
COMCAST OF ILLINOIS, INDIANA, OHIO, LLC

By: _____

Its: _____

SWORN TO BEFORE ME, this

_____ day of _____, 2010

NOTARY PUBLIC