

ORDINANCE NUMBER 8485-56

AN ORDINANCE AMENDING ORDINANCE NUMBER 6465-2, GRANTING
TO THE ILLINOIS BELL TELEPHONE COMPANY, ITS LESSEES,
SUCCESSORS AND ASSIGNS, CERTAIN RIGHTS IN THE
CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS

BE IT ORDAINED BY THE Mayor and City Council of the
City of Urbana, Champaign
County, Illinois as follows:

SECTION 1. That Section 1 of Ordinance Number 6465-2 passed on May 1,
1964, and approved May 1, 1964, be and hereby is amended by adding the following:

The term of this Ordinance shall be for the period of three (3) years beginning January 1, 1984, and extending to December 31, 1986, and thereafter until terminated by sixty (60) days written notice, either by the Municipality to the Company, or by the Company to the Municipality.

SECTION 2. That Section 6 of said Ordinance be and hereby is deleted in its entirety and is hereby amended to read as follows:

Section 6. So long as the Company exercises and enjoys the rights granted to it hereunder, it shall pay to the Municipality for each Access Line that the Company maintains and operates within the Municipality: \$0.256 per Access Line per month for the calendar year 1984, retroactive to January 1, 1984; \$0.288 per Access Line per month for the calendar year 1985; and \$0.320 per Access Line per month for the calendar year 1986 (hereinafter "Access Line Value"); provided, however, that the amount paid in such years shall not be less than the payment that the Municipality is entitled to or has received under a prior Interim Agreement dated December 30, 1983 for the period commencing January 1, 1984, nor in any event shall the payments be less than the amounts the Municipality received either in cash or value of services rendered for the calendar year 1983. The Company shall make said payments on a monthly basis, due the last day of the succeeding calendar month. "Access Line" as used in this Section shall mean "the connecting facility between a customer's premises and the Company's serving central office that provides customer access to the dial network for placing and receiving calls." "Within the Municipality" means within the corporate boundaries of the city, village or incorporated town named in this Ordinance as recorded with the appropriate county recorder and as provided to the Company. Municipality agrees to notify the Company of any ordinances annexing to or disconnecting from such corporate boundaries and agrees to provide to the Company an accurate map of such changes showing, if available, street name and number detail.

The Access Line Values specified in this Section are based upon aggregate franchise payments by the Company to all Illinois municipalities (except Chicago) within the Company's operating area (hereinafter "Illinois Municipalities") of \$8.0 million for the calendar year 1984, \$9 million for the calendar year 1985 and \$10 million for the calendar year 1986 (hereinafter "Agreed Franchise Payments"). If the Company's actual annual franchise payments to all Illinois Municipalities, whether paid or accrued, differ from said Agreed Franchise Payments, such difference in amount shall be adjusted in January of the succeeding year. Such difference in amount shall be divided by the number of the Company's Access Lines within all Illinois Municipalities in such month and then either added to or deducted from the Access Line Value for said month of January. Thereafter, the Access Line value specified in the first paragraph of this Section shall be used for each succeeding month in such calendar year.

Company shall, within forty-five (45) days of the effective date of this Ordinance, make an appropriate adjustment between payments to which Municipality is entitled under this Ordinance and payment that Municipality is entitled to or has received under a prior Interim Agreement dated December 30, 1983 for the period commencing January 1, 1984.

Company agrees to provide annually, within a reasonable time from Municipality's request, the names, addresses and number of Access Lines for each of its customers within the Municipality, subject to Municipality's agreement not to disclose said information, which Municipality agrees shall be used solely for the purposes of verifying the number of Company's Access Lines within the Municipality. Company further agrees to substantiate, upon request the contents of such report and all records and other documents required for such verification shall, upon reasonable advance notice, be subject to inspection by the Municipality.

The Company, without charge and when directed by the chief executive officer of the Municipality, shall move within the same premises the customer premises wire associated with each Access Line provided to the Municipality by the Company, provided that not more than one such change of location in any one year per Access Line shall be made by the Company without expense to the Municipality. "Customer premises wire" is defined as any wire beginning on the customer's side of the network interface or equivalent and ending at the registration jack or connecting block, exclusive of wiring associated with key or PBX systems and their serving terminals or main distribution frames.

The provisions of this Section shall be renegotiated upon 30 days' written notice from one party to the other at any time on or after June 30, 1986.

SECTION 3. That said Ordinance be further amended by deleting Section 13 in its entirety.

SECTION 4. All other terms and provisions of said Ordinance are to remain in full force and effect as provided therein.

SECTION 5. This Amendatory Ordinance shall be in full force upon receipt, by the Clerk of the Municipality, of the Company's written and unconditional acceptance of all of the provisions of this Amendatory Ordinance executed by its proper officers thereunto duly authorized, under the corporate seal of the Company, and attested by its Secretary or Assistant Secretary.

PASSED this 18th day of February, A.D. 1985

Ruth S. Brookens

APPROVED this 21st day of February, A.D. 1985

Jeffrey M. Miller
Clerk
Mayor

STATE OF ILLINOIS)
COUNTY OF Champaign) SS

I, Ruth S. Brookens, City Clerk of the City of Urbana, Champaign County, Illinois, do hereby certify that I am the keeper of the ordinances of said Municipality; and that the above and foregoing is a true, correct and complete copy of said Ordinance Number 8485-56 passed by the City Council of said Municipality on the 18th day of February, A.D. 1985, and approved by the Mayor thereof on the 21st day of February, A.D. 1985, as appears from the records of said Municipality.

IN WITNESS WHEREOF, I have hereunto set my hands as City Clerk of said Municipality and have hereunto affixed the seal thereof this 21st day of February, A.D. 1985.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

MAR 14 1985



Illinois Bell
AN AMERITECH COMPANY

225 West Randolph Street
Chicago, Illinois 60606

The Honorable Jeffrey T. Markland
Mayor of the City of
Urbana, Illinois

Members of the City Council:


On behalf of the Illinois Bell Telephone Company, I am happy to accept unconditionally the provisions of an Ordinance, Number 8485-56, entitled "An Ordinance Amending Ordinance Number 6465-2, Granting To The Illinois Bell Telephone Company, Its Lessees, Successors and Assigns, Certain Rights In The City of Urbana, Champaign County, Illinois."

This ordinance was passed by the City Council of Urbana on February 18, 1985, and approved by the Mayor thereof on February 21, 1985.

We sincerely appreciate your help in working out the arrangement.

Yours very truly,

ILLINOIS BELL TELEPHONE COMPANY


Vice President - Operations




Illinois Bell
AN AMERITECH COMPANY

Harlan D. James
Manager
Community Relations

310 West Church
Champaign, Illinois 61820
Phone 217 352-9995

ATTEST:


Assistant Secretary

STATE OF ILLINOIS
COUNTY OF Champaign

I, Ruth S. Brookens, City Clerk of the City of Urbana, Champaign County, Illinois, do hereby certify that I am the keeper of the records, papers, entries, documents and ordinances of said City, and that the above and foregoing is a true, correct and complete copy of a certain document filed in my office on the 18th day of March, A.D. 1985.

IN WITNESS WHEREOF, I have hereunto set my hand as City Clerk of said City, and have hereunto affixed the seal of said City, this 18th day of March, A.D. 1985.

