

RESOLUTION NO. 31 -1988

Offered by Mayor Waszak and
Mr. Howard

A RESOLUTION CONSENTING TO THE TRANSFER OF OWNERSHIP OF THE CABLE TELEVISION FRANCHISE IN THE VILLAGE OF RICHFIELD TO CABLEVISION OF THE MIDWEST, INC.

WHEREAS, the Village of Richfield has granted a franchise to operate a cablevision television system to Complexicable of Cuyahoga Valley pursuant to Ordinance No. 12-1983; and

WHEREAS, on DECEMBER 15, 1987, Complexicable notified the Village that it had entered into an agreement to sell General Partnership and Limited Partnership interests to Cablevision of the Midwest, Inc.; and

WHEREAS, pursuant to the franchise the Village has ninety (90) days within which to approve or disapprove a transfer of control and that if no action is taken by the Village within such ninety-day period, approval shall be deemed to have been given; and

WHEREAS, on March 1, 1988, the Council of the Village of Richfield unanimously defeated a motion to allow the transfer of control; and

WHEREAS, after said action, Cablevision of the Midwest, Inc., made certain commitments and undertakings to the Village of Richfield by letter dated March 4, 1988, a copy of which is attached hereto as Exhibit "A" and incorporated herein fully as if by reference; and

WHEREAS, as a result of the commitments and undertakings set forth in the March 4 letter, the Council of the Village of Richfield at its March 15, 1988 meeting determined to reconsider its disapproval of the transfer of control; and

WHEREAS, this Council wishes to confirm its approval of the transfer of control of the franchise subject to the conditions set forth in the March 4 letter.

Now, Therefore, Be It Ordained by the Council of the Village of Richfield, County of Summit and State of Ohio:

Section 1: That the sale of General Partnership and Limited Partnership interests to Cablevision of the Midwest, Inc. is hereby approved and the assignment of the Village of Richfield cable television franchise to Cablevision of the Midwest, Inc. is also hereby approved subject to the following conditions:

(a) Cablevision will complete construction of the cable television system in the Village of Richfield along what is known as Wheatley Road by December 31, 1988.

(b) Cablevision will post a performance bond in the amount of \$25,000 for the completion of the above construction with a surety company licensed in the State of Ohio and acceptable to the Village Law Director.

(c) Cablevision shall agree to construct and operate a cable system in the Village of Richfield throughout the duration of the franchise to meet the standards proposed by the Village Council.

(d) Cablevision shall understand the terms of the franchise and shall agree to comply with those terms.

Section 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: May 4, 1988

David W. Howard
President of Council

Carl R. Meyer
Mayor

Dated: 5/5/88, 1988

Attest:

Mary L. Hegley
Clerk of Council

VIA FEDERAL EXPR.

March 4, 1988

Mayor Ralph R. Waszak
Village of Richfield
4410 West Streetsboro Rd.
P.O. Box 387
Richfield, OH 44286-0387

3/5/88

Dear Mayor Waszak and Members of The Village Board:

This is to confirm in writing Cablevision's oral commitment to the Village Board during meetings related to our request for assignment of the franchise currently held by Complexicable of Cuyahoga Valley to Cablevision of the Midwest, Inc., a wholly-owned subsidiary of Cablevision Systems Corporation.

1. Cablevision will complete construction of the cable television system in the Village of Richfield along what is known as Wheatley Road by December 31, 1988.
2. Cablevision will post a performance bond in the amount of \$25,000.00 for the completion of the above construction with a surety company licensed in the State of Ohio and acceptable to the Village Board.
3. Cablevision agrees to construct and operate a cable system in the Village of Richfield throughout the duration of the franchise to meet the standards proposed by the Village Board.
4. Cablevision understands the terms of the franchise and agrees to comply with its terms.

I hope this letter meets the needs of the Village Board. If there are any questions or other matters you wish to discuss, please let me know. Cablevision looks forward to a future relationship with the Village of Richfield.

Sincerely,



Elizabeth A. Losinski
Director of Regulatory Affairs

EAL:cb

cc: Doug Jarvis
Ric Coplan
Chad Hume