

LAPORTE COUNTY ORDINANCE NUMBER.....84-8.....

An Ordinance Awarding a Non-Exclusive Franchise.
For the Installation and Maintenance of a Cable
Communication System to MICHIANA CABLEVISION
CORPORATION

WHEREAS on June 22, 1982, the Town of New Carlisle, Indiana,
passed an Ordinance awarding to Michiana Cablevision Corporation
a non-exclusive franchise to operate a cable communications system
within the Town of New Carlisle, Indiana,

AND WHEREAS Michiana Cablevision Corporation has brought to the
attention of this Board the desirability of extending the New Carlisle
system to various areas outside the town corporate limits of the Town
of New Carlisle and consisting of the unincorporated portions of
LaPorte, County,

AND WHEREAS Michiana Cablevision Corporation has offered to make
available to certain areas of LaPorte County, the same cable television
which will be offered in the Town of New Carlisle, pursuant to that
Ordinance, and have further offered a franchise fee to the County of
three percent (3%) of the annual gross revenue from basic subscribers
residing in the unincorporated communities of LaPorte County served
by Michiana Cablevision Corporation,

AND WHEREAS it is deemed by this Board to be in the best interests
of this County to grant to Michiana Cablevision Corporation a non-
exclusive franchise to extend its cable communications system into
this County.

NOW THEREFORE, BE IT HEREBY ORDAINED by this Board as follows:

SECTION I. The County Commissioners of LaPorte County, Indiana, do
hereby grant a non-exclusive franchise to Michiana Cablevision Corporation
to install and maintain a cable television system in LaPorte County to be
operated in conjunction with its New Carlisle system.

SECTION II. That pursuant to this grant of a non-exclusive franchise,

Michiana Cablevision Corporation may provide in LaPorte County cable television services to those areas contiguous to New Carlisle or, at their option, to other areas within LaPorte County, and shall provide cable television service to any home within two hundred feet (200') of any distribution cable actually installed. That said franchisee shall not be required to provide for the County any of the following: separate office facilities, separate studios, separate master telecommunications centers, separate access channels, or special hook-up, i.e. INSTITUTIONAL LOOP, to any schools which are not otherwise served by the New Carlisle system.

SECTION III. Other than as modified by SECTION II above, the provisions of Ordinance Number 607, adopted by the Town of New Carlisle, Indiana, Town Council, on June 22, 1982 are incorporated herein by reference.

Incorporation by reference of the above Ordinance of the Town of New Carlisle, shall require that, to the extent practicable, all of the terms, conditions, duties, requirements, rights and responsibilities contained within that Ordinance as applicable to the Town of New Carlisle, Indiana, shall be applicable to LaPorte County, Indiana, insofar as the terms and conditions contained in that Ordinance apply to Michiana Cablevision Corporation, they shall be applicable to the franchisee in regard to obligations to the County of LaPorte, Indiana.

SECTION IV. The rate structure to be charged in the County of LaPorte, Indiana, by Michiana Cablevision Corporation shall be the same as that offered to Michiana Cablevision Corporation's subscribers and approved for subscribers from time to time, within the Town of New Carlisle, with the following exception: Any resident of LaPorte County wishing to become a customer of Michiana Cablevision Corporation, but who lives in an area not serviced by Michiana Cablevision Corporation, or in an area having a density of less than forty (40) homes per cable mile, may negotiate with Michiana Cablevision Corporation concerning the costs of providing service to said customers so situated, and the franchisee shall have a right to charge any such customers in direct proportion to the extra costs of installing, initiating and maintaining service to those customers.

SECTION V. Michiana Cablevision Corporation is hereby granted the right to extend its system into any areas of LaPorte County, Indiana, except those areas to which a specific franchise has already been acquired and granted by the County.

SECTION VI. In consideration of the granting of this franchise, the franchisee shall pay to the County of LaPorte, Indiana, a franchise fee of three percent (3%) of the annual gross revenue received from customers residing in the unincorporated communities of the County where Michiana Cablevision Corporation provides cable television service.

SECTION VII. Franchisee shall file and maintain throughout the term of this franchise a bond for the faithful performance of its obligation, with good and sufficient surety, approved by this Board. Said surety to run to the County of LaPorte, in the sum of Ten thousand dollars and no cents (\$10,000.00), conditioned that the franchisee will truly and well perform each and every term and condition of this franchise, and said bond shall not be terminated or allowed to expire, except upon thirty (30) days written notice to this Board. This board may, at its sole discretion, reduce the amount of this bond at any time during the term of this franchise.

SECTION VIII. The term of this franchise shall be for a period of fifteen (15) years, commencing on the effective date of this Ordinance. This franchise shall have unlimited options for renewal, upon faithful performance by the franchisee, for additional periods of ten years, upon giving written notice to this Board at least six (6) months prior to the expiration of each term, as more specifically set forth in the Ordinance of the Town of New Carlisle referred to above.

SECTION IX. This Ordinance and the franchise hereby granted, shall take effect upon its adoption and approval in the manner provided

INTRODUCED AND ADOPTED BY THE COUNTY COMMISSIONERS,
LAPORTE COUNTY, INDIANA, this 10th day of Sept 1984.

COUNTY COMMISSIONERS OF THE COUNTY
OF LAPORTE, STATE OF INDIANA

Kenneth W. Swanson
Richard P. Small
Robert Miller

ATTEST:

Sherry K. Waters