

**RESOLUTION NO. 2009-02-009R**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS  
GRANTING COMCAST OF ILLINOIS/ INDIANA/ OHIO, LLC  
A FRANCHISE EXTENSION TO AUGUST 31, 2009**

**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 were 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 will expire on or about February 28, 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 hereby resolves as follows:

1. Pursuant to Section 1.4 of the Franchise, the Franchise is hereby amended by extending the term of the Franchise from February 28, 2009 through and including August 31, 2009.

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 Urbana; and (2) Comcast's acceptance of this Resolution within fourteen (14) days from the date this Resolution is passed and adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, AS FOLLOWS:**

PASSED by the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

AYES:

NAYS:

ABSTENTIONS:

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Phyllis Clark  
CITY CLERK

APPROVED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Laurel Lunt Prussing  
MAYOR

**CERTIFICATION**

I, \_\_\_\_\_, City \_\_\_\_\_ of the City of Urbana, Illinois, the custodian of its records, do hereby certify the above is a true and exact copy of a Resolution passed, adopted and approved by the City Council of said City on \_\_\_\_\_, 2009.

DATED: \_\_\_\_\_, 2009 By: \_\_\_\_\_

Its: \_\_\_\_\_

**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  
INDIANA/

COMCAST OF ILLINOIS/  
OHIO, LLC

By: \_\_\_\_\_

Its: \_\_\_\_\_

SWORN TO BEFORE ME this  
\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
NOTARY PUBLIC