

ORDINANCE NO. 305

**AN ORDINANCE EXTENDING THE EXPIRATION DATE OF  
THE CABLE TELEVISION FRANCHISE AGREEMENT  
AUTHORIZING THE OPERATION OF A CABLE TELEVISION SYSTEM**

WHEREAS, the Village of Gifford, Illinois ("Grantor") has an agreement with Mediacom Illinois LLC ("Mediacom"), for the operation and construction of a cable television system within the Village of Gifford (the "Agreement"); and

WHEREAS, in accordance with the Cable Act, the Grantor responded to Mediacom's request and commenced the process for renewal of the Agreement known as an informal process; and

WHEREAS, Grantor and Mediacom are involved in the informal franchise renewal process to renew the Agreement for another term; and


WHEREAS, it is understood by the Grantor and Mediacom that the franchise renewal process is not complete and it is in the interest of the Village and Mediacom to have a written acknowledgment of the extension of the term of the Agreement and to allow sufficient time to complete negotiations with the understanding that neither the Village nor Mediacom prejudice or waive any of their rights afforded them under the Cable Act to either an informal renewal process or formal renewal process should negotiations fail; and

WHEREAS, Mediacom and Grantor agree on execution of an extension of the expiration date of the Agreement to February 29, 2012:

NOW, THEREFORE, BE IT ORDAINED by the Village of Gifford, Illinois as follows:

1. That the Agreement between the Village and Mediacom remains in full force and effect notwithstanding the current expiration date.
2. That the term of the Agreement is hereby extended to expire February 29, 2012 unless Grantor and Mediacom have executed and adopted a new cable television franchise agreement prior to that date, in which case the Agreement shall expire and terminate upon the effective date of such new franchise agreement.
3. Except as modified by Paragraph 2, all other terms, conditions, provisions and requirements of the Agreement shall remain in force and effect. Neither party waives any right it may have pursuant to the Agreement or pursuant to state or federal law.
4. Mediacom, if it accepts this Ordinance and the rights and obligations hereby granted, shall acknowledge its acceptance by signing this Ordinance where indicated below.
5. This Ordinance shall be effective upon its passage and publication in accordance with law.

ADOPTED this 6 day of October 2011.

  
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Village of Gifford, Illinois

ACCEPTED BY:

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Mediacom Illinois LLC