SANTA FE COUNTY, NEW MEXICO 1815553 RESOLUTION 2000 - <u>1</u>35

RESOLUTION GRANTING A SIX (6) MONTH EXTENSION OF THE FRANCHISE WITH MICKLESON MEDIA INC. / ADELPHIA COMMUNICATIONS CORPORATION TO OPERATE A CABLE SYSTEM IN THE AGUA FRIA, LA CIENEGA, DINOSAUR TRAIL AND TURQUOISE TRAIL AREAS OF SANTA FE COUNTY

WHEREAS,

- The Santa Fe County Board of County Commissioners ("BCC") has jurisdiction over Cable Systems pursuant to NMSA 1978, Sections 62-1-3 and 4-37-1, Santa Fe County Ordinance No. 2000 – 6 and Title 47, Chapter 5, Subchapter V-A, Part III of the U.S. Code; and
- 2. In order to provide cable television service within the County of Santa Fe, a Cable Service Company must be issued a Certificate and Acceptance of Franchise by the BCC after a public hearing, and the Cable Service Company must agree to reasonable terms imposed by the BCC; and
- 3. Mickleson Media Inc. ("MMI"), a wholly owned subsidiary of Adelphia Communications Corporation ("Adelphia"), currently owns and operates a cable system serving the Agua Fria, La Cienega, Dinosaur Trail and Turquoise trail areas of Santa Fe County, as designated on the map, attached hereto as Exhibit "A"; and
- 4. Pursuant to Ordinance 1982-5 and the County Land Development Code, the BCC granted a permit to MMI/Adelphia to operate and maintain a cable television system within the Agua Fria, La Cienega, Dinosaur Trail and Turquoise Trail areas of Santa Fe County (agreement dated July 12, 1984 between MMI and Santa Fe County); and
- Pursuant to Resolution 1999-130, the BCC granted a 1-year extension, until October 12, 2000, of the franchise for MMI to operate a cable system in the Agua Fria, La Cienega, Dinosaur Trail and Turquoise Trail areas; and
- 6. MMI/Adelphia are in the process of negotiating a new franchise agreement with the County; and
- 7. The County and MMI/Adelphia desire to extend the term of the current franchise for an additional six (6) months to allow ample time to finalize the new franchise agreement.

NOW, THEREFORE, BE IT RESOLVED, that after a public hearing, the subject application is hereby granted and a Certificate and Acceptance of Franchise is hereby issued, subject to the following terms and conditions:

- 1. The Franchise area is defined by the attached maps, designated as Exhibit "A" and incorporated herein by reference.
- 2. The expiration of this Franchise shall be six (6) months years from the effective date, which shall be the date this Resolution is filed with the County Clerk.
- 3. Adelphia shall comply with the terms and conditions of Ordinance No. 2000-6, as amended or replaced, subject to applicable law, incorporated by reference.
- 4. Notice under this Franchise shall be given as follows: To County: as per Ordinance 2000-6 To Company: Adelphia Tony Hotter

1225 Diamond Drive Los Alamos, NM 87544

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, THIS /0²¹² DAY OF Octobe, 2070.

COUNTY CLERK

CHAIRPERSON, BOARD OF COUNTY, COMMISSIONERS



APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

COUNTY ATTORNEY

COUNTY OF SANTA FE STATE OF NEW MEXIC Thereby certify that this for record on the 20 at 20 2 of the records of and was Santa Fe County. page Witness my Hand and Seal of O Rebecca Bustamante Fe Cou County Clerk,



ACCEPTED BY: ADELPHIA

BY: Roundall A. Fishin

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me on the $\underline{9^{\prime\prime\prime}}$ day of

October, 2000, by RANDY FISHER <u>Jula Stuckey</u> Notary Public

My commission expires: May 10, 2004 Notarial Seal Jill A. Stuckey, Notary Public Coudersport Boro, Potter County My Commission Expires May 10, 2004 Member, Pennsylvania Association of Notaries

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