

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1173.99

A RESOLUTION OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA PURSUANT TO SECTION 14 OF ORDINANCE NO. 428.97, CODIFIED AT ARTICLE IV OF APPENDIX A OF THE TOWN CODE (ADOPTED SEPTEMBER 15, 1997), REGARDING THE COMMUNITY ANTENNA TELEVISION (CATV) FRANCHISE; ASSIGNING THE FRANCHISE FROM INTERLINK COMMUNICATIONS PARTNERS, LLLP TO CHARTER COMMUNICATIONS, INC.; APPROVING THE "CONSENT OR APPROVAL TO TRANSFER"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town has a Community Antenna Television (CATV) Franchise, adopted by Ordinance No. 428.97, granted to InterLink Communications Partners, LLLP, a Colorado registered limited liability limited partnership (referred to as "InterLink"); and

WHEREAS, the CATV Franchise is codified at Appendix A (Franchises) Article IV of the Town Code, which provides in section 14 for the approval of an assignment of the franchise by Resolution of the Town Council; and

WHEREAS, based upon an executed Purchase Agreement presented to the Town, the Town agrees to the transfer of the franchise to Charter Communications, Inc., a Delaware corporation;

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the above preambles are true and correct and are hereby adopted.

**Section 2.** That the "Consent or Approval to Transfer Control of the CATV Franchise" which is attached to and made a part of this Resolution as Exhibit A, is hereby approved, subject to the following conditions:

- a. The assignment or transfer of a performance bond in the amount of \$5,000.00 as required by Section 11 of the Franchise.
- b. That the letter agreement dated September 16, 1997 between the Town of Golden Beach and InterLink's predecessor CableVision Communications, its successors and assigns, regarding certain video surveillance in the Town, remains in full force and effect.
- c. That the schedule of rates for the consumers shall not be increased as a result of this transfer unless separate notice is provided to the Town and a public hearing is held by the Town Council.
- d. That the Town shall be reimbursed \$600.00 for its attorneys fees related to this transfer.

**Section 3.** That the appropriate Town officials are hereby authorized and directed to execute the necessary documents to evidence the Town's consent to the transfer of this Franchise.

**Section 4. Severability** That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

**Section 5. Conflict.** That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 6. Inclusion In The Code.** That it is the intention of the Town Council, and it is hereby resolved that the provisions of this Resolution, shall become and be made a part of the Code of the Town of Golden Beach; that the sections of this Resolution may be renumbered or relettered to accomplish such intentions; and that the word "Resolution" may be changed to "Section" or other appropriate word.

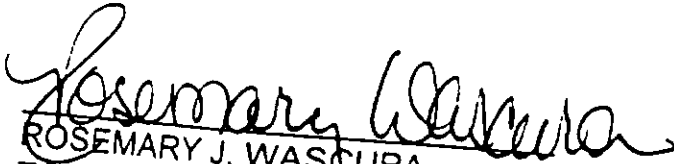
**Section 7. Effective Date.** That this Resolution shall become effective immediately upon approval of the Town Council.

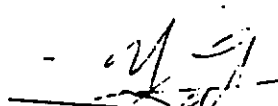
The Motion to adopt the foregoing Resolution was offered by  
Councilwoman Chikovsky \_\_\_\_\_, seconded by Vice-Mayor Paruas and on roll call the following  
vote ensued:

Mayor Addicott	<u>    </u>
Vice Mayor Paruas	<u>    </u>
Councilmember Chikovsky	<u>    </u>
Councilmember Einstein	<u>    </u>
Councilmember Feinman	<u>    </u>

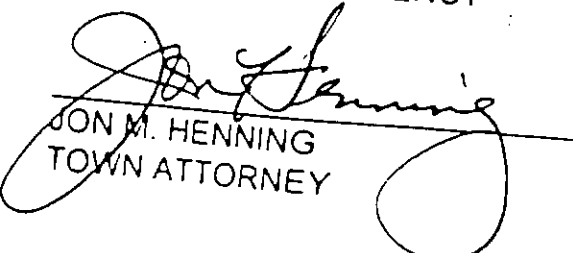
**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach this  
15th day of June, 1999.

ATTEST:

  
ROSEMARY J. WASCURA  
TOWN CLERK

  
MAYOR MICHAEL ADDICOTT

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JON M. HENNING  
TOWN ATTORNEY