

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

RESOLUTION NO. 120-86

A Resolution approving the transfer and assignment of the rights to construct, operate, and maintain a community antenna television system in Mason County, Washington, and amending Resolution Nos. 18-84, 57-81, and 126-81.

WHEREAS, pursuant to Section 16 of Resolution Nos. 18-84, 57-81, and 126-81, Harbor Properties, Inc. dba Harbor Videocable ("Harbor"), holder of the community antenna television (CATV) franchise rights throughout portions of Mason County, Washington, has applied for consent to transfer and assign its rights under said Resolutions to McCaw Cablevision of Southwest Washington, Inc., a Washington corporation and a wholly owned subsidiary of Harbor Properties, Inc. ("McCaw"), and proposes to sell all of the stock in McCaw to McCaw Communications of Southwest Washington, Inc., also a Washington corporation ("Applicant").

WHEREAS, McCaw and Applicant have requested that the terms of said franchises be extended to fifteen (15) years from the passage of this Resolution, and have requested that the franchises be amended in certain respects.

WHEREAS, it appears to the Board of County Commissioners of Mason County, Washington that McCaw is qualified to construct, own, operate and maintain the system it is acquiring in conformity with Resolution Nos. 18-84, 57-81, and 126-81.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The request of Harbor for transfer and assignment to McCaw of the rights and obligations as franchisee to the above-referenced franchises is approved. The sale of all of the stock in McCaw from Harbor to Applicant is also approved.

Section 2.

A. Section 4 of Resolution Nos. 18-84, 57-81 and 126-81 is hereby modified to provide for terms of fifteen (15) years from the date of passage of this Resolution.

B. Section 8(e) of Resolution Nos. 18-84, 57-81 and 126-81 is hereby deleted in its entirety and is replaced by the following:

Pursuant to the Cable Communications Policy Act of 1984, the Commission may periodically review the broad categories of services provided by Company, and may prohibit Company from providing services which are obscene or otherwise unprotected by the Constitution of the United States.

C. Section 10 of Resolution Nos. 18-84, 57-81, and 126-181, is hereby deleted in its entirety and is replaced by the following:

Section 10. Rates


The Company shall have the right to charge and collect compensation from all persons, firms and corporations to whom it may furnish cable television services. The subscriber rates shall at all times be fair, just and equitable and in compliance with all applicable laws. The Company may pass along to subscribers such additional fees as may be imposed on it, including but not limited to taxes, copyright fees and permit fees.

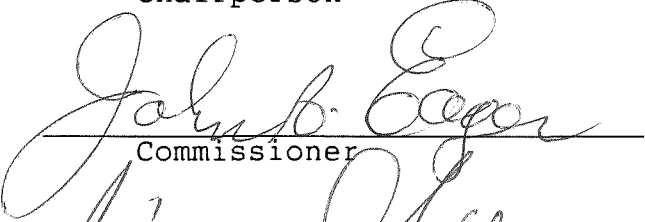
Section 3. This Resolution shall be effective only upon the completion of the sale of all of the stock in McCaw from Harbor to Applicant, and if such sale is not consummated, this Resolution shall be of no force or effect whatsoever.

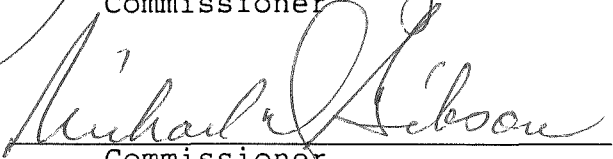
McCaw, by its signature hereon, agrees to be bound by the terms and conditions of this Resolution, which are accepted in full.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, WASHINGTON this 16th day of December, 1986.

BOARD OF COUNTY COMMISSIONERS OF  
MASON COUNTY, WASHINGTON

By   
Chairperson

  
Commissioner

  
Commissioner

ATTEST:


  
Clerk of the Board

APPROVED AS TO FORM:

  
Prosecuting Attorney

ACCEPTED IN FULL:

McCAW CABLEVISION OF SOUTHWEST  
WASHINGTON, INC.

By   
Its Vice President

DATED: 12/16/86