

ORDINANCE NO. 03-04

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING ORDINANCE NO. 995 AND ALLOWING THE CITY OF ROSWELL'S FRANCHISE AGREEMENT WITH CABLE ONE, INC. TO BE EXTENDED FROM JULY 1, 2003 TO DECEMBER 31, 2003, WITHOUT EXPANDING OR CONTRACTING THE LEGAL RIGHTS OF THE CITY OR CABLE ONE, INC. TO FACILITATE AND CONCLUDE RENEWAL DISCUSSIONS.

Whereas, the City of Roswell desires to extend the term of the existing cable television franchise agreement for a period of six months to facilitate and conclude renewal discussions.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL OF ROSWELL, NEW MEXICO, that:

- Section 1. In Roswell City Ordinance No. 995, Section 4, the term is amended to read:
"The term of this Franchise Agreement is hereby extended and shall be for a period of six months from the date hereof."
- Section 2. This extension shall not expand or contract any rights the City of Roswell or Cable One, Inc. may have under (i) the franchise, as amended; (ii) the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection Act of 1992 and the Telecommunications Act of 1996; or (iii) any other law. By way of example and not limitation, this extension shall not entitle Cable One, Inc. to any renewal rights that it did not have prior to the extension.
- Section 3. Cable One, Inc. shall, within 30 days after adoption by the Council of this Franchise Agreement, file with the City Clerk its written, unconditional acceptance of this franchise and if Cable One, Inc. fails so to do, this ordinance shall be void. Cable One, Inc. agrees to bear the entire expense of publishing this ordinance regardless of acceptance. This amendment is subject to timely compliance by Cable One, Inc. with the conditions set forth in Section 1 through 4.
- Section 4. COMPILATION. Section 1 of this ordinance shall be incorporated in and made part of the Revised Ordinances of Roswell, New Mexico.
- Section 5. EFFECTIVE DATE. This ordinance shall take effect five days after publication in full.

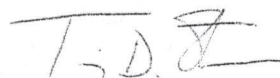
PASSED, ADOPTED, SIGNED AND APPROVED THIS 8TH DAY OF
MAY, 2003.

Bill B. Owen, Mayor

CITY SEAL



ATTEST:



Timothy D. Stoessel, City Clerk