

## APPENDIX C

### CABLE TELEVISION FRANCHISE

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ORDINANCE NO. 3824
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AN ORDINANCE TO GRANT MCC IOWA LLC, A FOREIGN LIMITED LIABILITY COMPANY THE NON-EXCLUSIVE RIGHTS, PRIVILEGES AND AUTHORITY TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE, RENEW, RECONSTRUCT, AND REMOVE A CABLE TELEVISION SYSTEM ON PUBLIC RIGHT-OF-WAY IN THE CITY FOR A TERM OF FIFTEEN (15) YEARS .

IT IS HEREBY ORDAINED, by the City Council of the City of Ames, Iowa:

Section One. Grant of Franchise. A non-exclusive right is hereby granted to MCC Iowa, LLC, to establish, construct, operate, maintain, repair, replace, renew, reconstruct, and remove a cable television system on public right-of-way in the city for a term of fifteen (15) years, in accordance with the laws and regulations of the United States of America and the State of Iowa and the ordinances and regulations of the City of Ames, including the non-exclusive right, privilege, and authority:

- (a) to sell and supply audio and video communication services to persons within the City;
- (b) to use public right of way within the City;
- (c) to engage in such further activities within the City as may now or hereinafter be consistent with the generally accepted principles applicable to the operation of a cable television system.

Section Two. Effective Date of Franchise Renewal. The franchise shall be renewed from and after the effective date of this ordinance and compliance by MCC Iowa LLC with Federal Communications Commission rules and regulations for a term of fifteen (15) years.

Section Three. MCC Iowa LLC shall not assign or transfer any right granted under this ordinance to any other person, company, or corporation other than a parent or subsidiary without prior consent of the City Council, which consent shall not be unreasonably withheld.

Section Four. All ordinances or part of ordinances in conflict with the terms of this ordinance, and specifically Ordinance #3075 enacted March 20, 1990, are hereby repealed, provided, however, that such repeal shall only be to the extent of such conflict.

Section Five. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this 8th day of March, 2005.

*Replaces Ord. No. 3075 dated March 20, 1990*