

ORDINANCE AMENDING "SECTION 1.6-DURATION OF FRANCHISE," AND SECTION 1.9-
"PERFORMANCE BOND" OF ORDINANCE #309, TV FRANCHISE: BOND TO BE REDUCED FROM
ONE HUNDRED THOUSAND AND 00/100 DOLLARS (100,000.00) TO FIFTY THOUSAND
AND 00/100DOLLARS(50,000.00).

WHEREAS: The Town Council of the Town of Yacolt are in regular session
this 7 day of March 1989: and

WHEREAS: The Town Council of Yacolt has held a Public Hearing on the 7
day of March 1989: and

WHEREAS: The Town Council deems it in the best interests of the Town of
Yacolt to amend Section 1.6 and 1.9 of Ordinance #309:

BE IT ORDAINED BY THE TOWN COUNCIL OF YACOLT, WASHINGTON AS FOLLOWS:

SECTION 1.1: Duration of Franchise:

1.1.1 The franchise and rights herein granted shall take effect and be in
force from and after the effective date for a term of fifteen (15) years,
subject to the terms of this ordinance, provided that within 150
days after the date of final approval of this amended franchise by the
Town, the Company shall file with the Town Council its unconditional
acceptance of such franchise and promise to comply with and abide by all
its provisions, terms and conditions. Such written acceptance and promise
shall be in writing and duly executed and shall be accompanied by a
certified corporate resolution authorizing such acceptance and by an
opinion of the Company's counsel as to the Company's good standing and
due authorization and execution of such acceptance.

SECTION 2.2: Performace Bond:

2.2.2 Amount and effect: Within 150 days after the award of the Franchise
the company shall file with the Town a Performace Bond in the amount of
FIFTY THOUSAND AND 00/100 DOLLARS (50,000.00) in favor of the Town. This
bond shall be approved by the Town Attorney and shall be maintained
throughout the construction of the entire system and until six (6)
months after completion and acceptance of construction. In the event the
company fails to comply with any law, ordinance or regulation governing
the Franchise, or fails to well and truly observe, fulfill and perform
each term and condition of the Franchise, including the company's
proposal which is incorporated into the Franchise in Section 3,6 infra,
there shall be recoverable, jointly and severally, from the principal
and surity of the bond, any damages or loses suffered by the Town as a
result, including the full amount of any compensation, indemnification,
or cost of removal or abandonment of any property of the Company, plus
reasonable allowance for Attorney's fees, up to the full amount of the
Bond.

Adopted this 7 day of March 1989, and shall be in effect after its
passage and publication according to law.

AYES Councilmembers Jolma, Kaski, Messer, Grooms, Alexander

NAYES None

ABSENT None

MAYOR Jim Worthington ATTEST Irene Christiansen

I hereby certify that this is a true and correct copy of Ordinance #312
as read before the Council and passed on date herein metioned and passed
according to law.

Irene Christiansen
Irene Christiansen
Clerk/Treasurer