

RESOLUTION #375

A RESOLUTION DECLARING THAT THE FRANCHISE OF J&N CABLE SYSTEMS INC. SHALL BE FORFEITED AND TERMINATED UNLESS COMPLIANCE IS ACHIEVED IN THE RELOCATION OF CERTAIN CABLE TELEVISION SERVICE WIRES AND CABLES.

WHEREAS, J&N Cable Systems Inc. has had reasonable notice and has failed to relocate its cable television service wires and cables to the fourteen (14) new utility poles set by Clark Public Utilities along East Yacolt Road from Town Hall to the East Town Limits, the one (1) new utility pole at the intersection of South Blackmore Avenue and West Jones Street, and the one (1) new utility pole at the intersection of South Blackmore Avenue and West Humphrey Street; and

WHEREAS, J&N Cable Systems Inc.'s failure to relocate its cable television service wires and cables to the fourteen (14) new utility poles set by Clark Public Utilities along East Yacolt Road from Town Hall to the East Town Limits, the one (1) new utility pole at the intersection of South Blackmore Avenue and West Jones Street, and the one (1) new utility pole at the intersection of South Blackmore Avenue and West Humphrey Street is a substantial breach of the franchise agreement; and

WHEREAS, the Town Council has determined the above violation by J&N Cable Systems Inc. is the fault of J&N Cable Systems Inc. and within J&N Cable Systems Inc.'s control; now

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Yacolt, Washington that the franchise of J&N Cable Systems Inc. shall be forfeited and terminated unless compliance in the relocation of the cable television service wires and cables to the fourteen (14) new utility poles set by Clark Public Utilities along East Yacolt Road from Town Hall to the East Town Limits, the one (1) new utility pole at the intersection of South Blackmore Avenue and West Jones Street, and the one (1) new utility pole at the intersection of South Blackmore Avenue and West Humphrey Street is achieved no later than August 1, 2003.

APPROVED this 2<sup>nd</sup> day of June, 2003.

TOWN OF YACOLT

Ayes Case, Smith, Messer

Nays None

Absent Tindall-Ellis, Mason

MAYOR *Jim Robertson*

ATTEST

*Brenda Fumero*