ORDINANCE NO. 91-006

AN ORDINANCE granting to SIMMONS CABLE TV, its successors and assigns, the right, privilege and authority to construct and operate a non-exclusive cable television system within the limits of Scott County, Kentucky, excluding the corporate limits of the City of Georgetown, Kentucky, in its present forms or in any later recognized, consolidated, enlarged, or re-incorporation form.

BE IT ORDAINED by the Fiscal Court of the County of Scott, Kentucky, that:

SECTION 1. "DEFINITIONS": For the purpose of this contract, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the content, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. Provisions of this contract shall be construed in accordance with the laws of the State of Kentucky.

(a) "COUNTY": The County above named, of the State of Kentucky, in its present form or in any later recognized, consolidated, enlarged or reincorporated form.

(b) "FISCAL COURT": The present governing body of the County or any further court, commission or board constituting the legislative body of the county.

(c) "FRANCHISE PROPERTY": All property owned, installed or used under authority of this franchise contract.

(d) "GRANTEE": The persons or corporations to whom this non-exclusive franchise is granted by the County.

(e) "STREET": The surface of, and the space above and below any public street, road, highway, freeway, lane, alley, court, sidewalk, parkway, or drive, now or hereafter existing or such within the County.

(f) "CABLE": Coaxial cables, wave guides, or other conductors and equipment for providing television, radio or other signals (hereinafter collectively called "Signals") by cable or through its facilities as hereinafter contemplated.

SECTION 2. "GRANT OR FRANCHISE": The County hereby grants to the Grantee, subject to the provisions herein contained a franchise to engage in the business of operating and providing a non-exclusive cable system in the County of Scott, excluding the corporate limits of the City of Georgetown, Kentucky, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain and retain in streets such poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliance, attachments, and other property as may be necessary and appurtenant to the Cable system; and, in addition, so to use, operate and provide similar properties rented or leased from other person, firms or corporation, for such purpose.