

ORDINANCE NO. 2637

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, WAIVING CITY'S FIRST RIGHT OF REFUSAL AND APPROVING A TRANSFER OF THE CABLE TELEVISION FRANCHISE; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2211, the City Council approved Heritage Cablevision Associates of Dallas, L.P. ("Heritage"), as successor franchisee under the City's cable television franchise, as amended; and

WHEREAS, Heritage proposes to cause the transfer of said franchise to TCI Cablevision of Dallas, Inc., a Texas corporation ("TCI-Dallas"); and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council of the City of Mesquite does hereby waive its first right of refusal to acquire the Heritage system and does hereby approve the transfer of the cable television franchise, including its rights and obligations, to TCI-Dallas, subject to the acceptance by TCI-Dallas of such transfer, and TCI-Dallas' becoming a signatory to said franchise agreement.

SECTION 2. Upon the third and final reading as provided by City Charter and acceptance by TCI-Dallas of the responsibilities and obligations of the franchise, as amended, the franchise shall be confirmed in TCI-Dallas, as of September 30, 1989.

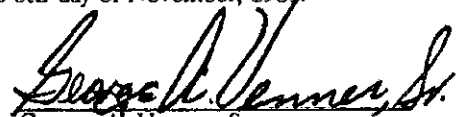
SECTION 3. The fact that the transfer of the cable television franchise is necessary to the health and welfare of the inhabitants of the City of Mesquite creates an urgency and an emergency and requires that those portions of this ordinance not requiring multiple readings take effect immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

SECTION 4. The City of Mesquite does hereby grant to TCI-Dallas rights of financing comparable to those granted to Heritage Cablevision in Ordinance No. 2265 dated December 16, 1985.

PASSED AND APPROVED On first reading on this the 18th day of September, 1989.

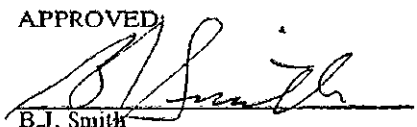
PASSED AND APPROVED On second reading on this the 2nd day of October, 1989.

PASSED AND APPROVED On final reading on this the 6th day of November, 1989.


George A. Venner, Sr.
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED:

B.J. Smith
City Attorney

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