

ORDINANCE APPROVING THE TRANSFER OF THE CATV  
FRANCHISE AND SYSTEM IN WYTHE COUNTY FROM  
PIONEER CABLE-VISION, INC. TO STAR CABLE ASSOCIATES

Ordinance No 88-1

April 12, 1988

An Ordinance approving the transfer of the CATV Franchise and System in Wythe County from Pioneer Cable-Vision, Inc. to Star Cable Associates a Pennsylvania general partnership.

WHEREAS, heretofore on July 16, 1987, the Board of Supervisors of Wythe County, Virginia (the Board) adopted its cable television ordinance awarding to Pioneer Cable-Vision, Inc. a franchise (the Franchise) to construct, operate and maintain a cable television system within a designated area (the Franchise Area) of the County; and,

WHEREAS, in accordance with Article XVII of the ordinance, as amended, any transfer of the rights and privileges under the Franchise may not be made without prior approval of the County by ordinance; and,

WHEREAS, Pioneer Cable Vision, Inc., proposes to sell its assets used to operate and maintain the cable television system within the Franchise Area and to assign all its rights and to delegate all of its obligations under the Franchise to Star Cable Associates, which sale and assignment is to close on or before June 30, 1988;

WHEREAS, the parties to that assignment desire to obtain approval of Star Cable Associates as assignee of the Franchise and of the proposed assignment of the Franchise as required by Article XVII of the ordinance; and,

WHEREAS, Star Cable Associates, the proposed assignee, has undertaken to agree with the County in writing, as evidenced by its duly authorized signature to this resolution, to become responsible for the full performance of all the conditions, liabilities, covenants and obligations contained in the Franchise; and,

WHEREAS, it has been established to the reasonable satisfaction of the Board that the proposed assignee possesses the financial and technical ability and experience sufficient to perform the duties, obligations and responsibilities imposed upon Pioneer Cable-Vision, Inc. in the Franchise; and

WHEREAS, at the request of Star Cable Associates the Board is willing to confirm the validity of the Franchise and to grant its consent to a collateral assignment of the Franchise or a pledge of the cable system assets to any of Star Cable Associates' lenders.

NOW, THEREFORE, the Board of Supervisors of Wythe County, Virginia, hereby approves of the assignment of the rights, privileges and obligations under the Franchise and the cable television system located in the County to Star Cable Associates, provided that Star Cable Associates duly executes the agreement to assume the Franchise and provided further that the proposed assignment is effected on or before June 30, 1988, and the County is given written notice that the assignment has been effected.

The Board of Supervisors of Wythe County, Virginia, further consents to any collateral assignment of the Franchise or a pledge of the assets of the cable system to any of Star Cable Associates' lenders on the condition that upon the enforcement of any such assignment or pledge the lender will obtain the approval of this Board for continued operation or disposition of the Franchise.

The Board of Supervisors of Wythe County, Virginia, confirms that as of this date: (a) the Franchise was properly granted; (b) the franchise is in accordance with all state and local law; (c) the Franchise is validly existing and in full force and effect; (d) there exists no fact or circumstance which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default under the Franchise or permit Wythe County to cancel or terminate the rights thereunder, except upon the expiration of the full term thereof; and (e) all fees due and payable by Pioneer Cable-Vision, Inc. under the Franchise have been paid, and there exists no liability whatsoever therefor.

This Ordinance shall become effective on and after 12:01 April 12, 1988.

NAME	FOR	AGAINST	ABSENT
George F. James	X		
David W. Blair	X		
Sidney N. Crockett	X		
Charlotte H. Crockett	X		
Donald M. Heldreth	X		
George T. Johnstone	X		
Robert C. Williams	X		

I certify this is a true and correct copy taken from the April 12 minutes of the Wythe County Board of Supervisors.

Billy R. Branson  
Billy R. Branson, Clerk

STAR CABLE ASSOCIATES FRANCHISE ORDINANCE 88-1

NOTE: PLEASE REFER TO PIONEER CABLE TV ORDINANCE NO. 87-2  
AMENDMENT NO. 1, JANUARY 10, 1989