

BERWICK TOWNSHIP
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF BERWICK, COUNTY OF ADAMS, COMMONWEALTH OF PENNSYLVANIA, GRANTING TO G.S. COMMUNICATIONS, INC., ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND AUTHORITY TO CONDUCT, ACQUIRE, MAINTAIN AND OPERATE A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE TOWNSHIP OF BERWICK; GRANTING TO G.S. COMMUNICATIONS, INC. ITS SUCCESSORS AND ASSIGNS THE RIGHT AND AUTHORITY TO SELL COMMUNITY ANTENNA TELEVISION SERVICE TO PERSONS, FIRMS, ORGANIZATIONS AND CORPORATIONS LOCATED WITHIN THE TOWNSHIP OF BERWICK; GRANTING TO G.S. COMMUNICATIONS, INC. THE RIGHT AND AUTHORITY TO USE AND OCCUPY THE STREETS, ALLEYS, PUBLIC PLACES AND PUBLIC WAYS IN THE TOWNSHIP OF BERWICK; AND ESTABLISHING THE TERMS AND CONDITIONS OF THE GRANTING OF SUCH RIGHTS.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained, by the Township of Berwick, Adams County, Pennsylvania, as follows:

SECTION I: G.S. Communications, Inc. its successors and assigns, hereinafter referred to as "G.S. Communications", is granted the right and authority to build, construct, install, maintain, own, acquire, equip, and operate a community antenna television system (CATV) within the corporate limits of the Township of Berwick, hereinafter referred to as "Municipality". G.S. Communications is granted the right and authority to construct, install, maintain and operate, poles, conduit, wire, cable, lines, amplifiers, connectors and any and all other equipment or apparatus as are reasonably necessary for operating a CATV system in Municipality, and providing CATV service to persons, firms, organization and corporations, living or located within or near Municipality. G.S. Communications is further granted the right and authority to enter upon, use and occupy the bridges, avenues, streets, alleys, lanes, roadways, sidewalks, public grounds and public ways, as they exist now or shall exist in the future, for the above purposes and all other purposes reasonably necessary for the proper operation of such CATV system.

SECTION 2: The right and authority granted to G.S. Communications herein shall be non-exclusive, and the Municipality may grant similar rights and authority for such use to any other person at any time during the period of this franchise.

SECTION 3: The right and authority granted to G.S. Communications herein shall continue for a period of ten (10) years from the effective date of this ordinance and from the execution of the Franchise Agreement by both parties. G.S. Communications shall have the right to renew this franchise for an additional period of ten (10) years under such additional terms and conditions as shall be agreed to by the parties.

SECTION 4: The terms and conditions of this grant of right and authority to G.S. Communications shall be such as provided in a Franchise Agreement entered into by G.S. Communications and Municipality, which Agreement is made a part of this ordinance and incorporated herein by reference.

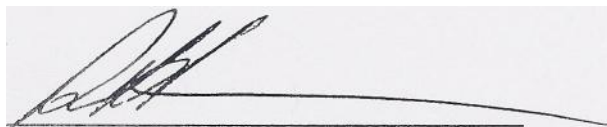
SECTION 5: Any ordinance or resolution, or part of an ordinance or resolution, in conflict with this ordinance is hereby repealed. Any provision of this ordinance which is now or may be superseded by State or Federal laws or regulations is hereby declared to be null and void. In the event that any of the terms, conditions, sections, paragraphs, sentences or phrases of the Ordinance is finally determined by court of competent jurisdiction to be invalid, illegal or unenforceable, the remaining terms, conditions, sections, paragraphs, sentences or phrases of the Ordinance shall remain in full force and effect to the fullest extent allowable by applicable law.

SECTION 6: This ordinance shall be effective upon its final passage and enactment and upon being signed, approved and attested by the proper officials of Municipality and upon the acceptance of any execution by Municipality and G.S. Communications of the Franchise Agreement.

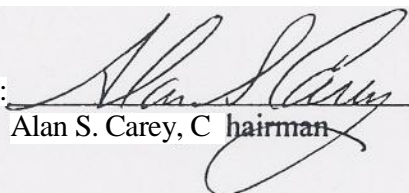
ENACTED AND ORDAINED THIS 8th^l day of March, 1999.

Attest:

TOWNSHIP OF BERWICK



Robert L. Coleman, Secretary

By: 
Alan S. Carey, C hairman