

ORDINANCE NO. 4316

AN ORDINANCE APPROVING THE TRANSFER OF THE CABLE TELEVISION FRANCHISE AGREEMENT OF ARKLAOKTEX,LLC, UNTO BUFORD MEDIA GROUP, LLC.

WHEREAS, ARKLAOKTEX, LLC (“Franchisee”) owns, operates and maintains a cable television system (the “System”) in Bossier Parish (“Franchise Authority”) pursuant to a valid franchise agreement (the “Franchise”);

WHEREAS, Buford Media Group, LLC (“Buford”) has represented that it entered into an Asset Purchase Agreement dated as of August 3, 2009, as amended by an Amendment No. 1 to Asset Purchase Agreement dated August 20, 2009 (collectively, the “Agreement”) with Franchisee pursuant to which the Franchisee proposes to sell and assign to Buford the System and the Franchise (the “Transfer”);

WHEREAS, Franchisee and Buford have requested consent of the Franchise Authority to the Transfer in accordance with the requirements of the Franchise, and have provided all information required by applicable law (collectively, the “Transfer Application”); and

NOW, THEREFORE, BE IT ORDAINED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

SECTION 1. The Franchise Authority hereby consents to the Transfer, to the extent required by the terms of the Franchise.

SECTION 2. To the best knowledge of the Franchise Authority, the Franchise Authority confirms that (a) the Franchise is currently in full force and effect and the Franchisee is the duly authorized holder of the Franchise; (b) the Franchise represents the entire understanding of the parties and Franchisee has no obligations to the Franchise Authority other than those specifically stated in the Franchise, and (c) Franchisee is materially in compliance with the provisions of the Franchise and there exists no fact or circumstance known to the Franchise Authority which constitutes or which, with the passage of time or the giving of notice or both, would constitute a material default or breach under the Franchise or would allow the Franchise Authority to cancel or terminate the rights thereunder.

SECTION 3. The Franchise Authority consents to and approves Buford’s granting a security interest in all of Buford’s rights, powers and privileges under the Franchise and all of its other properties to such lender or lenders (as may be designated by Buford) for financing purposes, under which such lender or lenders shall have the rights and remedies of a secured party under the applicable Uniform Commercial Code.

SECTION 4. This ordinance shall be deemed effective for purposes of the transfer upon the Closing Date.

SECTION 5. This ordinance shall have the force of a continuing agreement with Franchisee and Buford.

The ordinance was offered by Mr. Butler, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 18th day of November, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY