

ORDINANCE NO. 210

**AN ORDINANCE AMENDING FRANCHISE NO. 239
ADOPTED AUGUST 16, 1983, GRANTED TO TCI
CABLEVISION OF YAKIMA, INC., SUCCESSOR IN
INTEREST TO THE ORIGINAL GRANTEE GROUP W
CABLE.**

WHEREAS, the County of Walla Walla, Washington (hereinafter referred to as "County") granted to TCI Cablevision of Washington, Inc., (hereinafter referred to as "Grantee") a franchise to construct, own and operate a community antenna television system within a portion of the County area for a term of fifteen (15) years to and including August 10, 1998; and

WHEREAS, on August 29, 1978 the County adopted Franchise No. 195, granted to Grantee, successor in interest to Waitsburg T.V. Cable, to construct, own and operate a community antenna television system within the County areas described below for a term of fifteen (15) years to and including August 28, 1993; and

WHEREAS, the County and Grantee have agreed to amend Franchise No. 239 to include and incorporate the geographic area serviced by Franchise No. 195; and

WHEREAS, the Board of County Commissioners of the County has found good grounds therefor:

BE IT HEREBY ORDAINED BY THE COUNTY OF WALLA WALLA, WASHINGTON:

- I. That Franchise No. 239 dated August 16, 1983 between the County of Walla Walla and TCI Cablevision of Yakima, Inc., is hereby amended as follows:

That the following legal description of a geographic area to be added to Franchise No. 239 shall be added to paragraph two on page one:

From N.W. corner of Sec. 4, T8N, Rge 37 E.W.M., s
the Washington Oregon State line, thence in a
clockwise direction along the County line to the p
beginning.

*Taken to
recording
12/1/92
eg*

From the N.W. corner of Sec. 30, T12N, Rge 34 E.W.M. south to the Washington Oregon State boundary, thence in a clockwise direction along the County line to the point of beginning.

- II. That Franchise No. 195 shall be terminated and no longer be in effect.
- III. That all requirements and provisions of Franchise No. 239 dated August 16, 1983 not amended by this Ordinance continue in full force and effect, subject to applicable federal and state law.
- IV. That all requirements and provisions of Franchise No. 239 dated August 16, 1983 and this Amending Ordinance shall be subject to applicable federal, state and local law.
- V. That this Ordinance shall take effect and be in force upon passage and approval by the Board of County Commissioners.

Approved on this 22nd day of November, 1992.

Attest:

Ellys Link
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

David J. Casey
Chairman

Ray Needham
Commissioner

Charles A. Maiden
Commissioner

Accepted this 20 day of November, 1992 by:

TCI Cablevision of Yakima, Inc.

FILED FOR RECORD
IN WALLA WALLA CO. WASH.
BY NW Co Commissioners

DEC 2 9 03 AM '92

JANE L. BATES
COUNTY AUDITOR

By: David M. Reynolds

Title: DAVID M. REYNOLDS - VP/COO

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Walla Walla County, Washington, will hold a public hearing on Monday, November 2, 1992, at the hour of 2:30 p.m., at the Commissioners' Chambers, County Courthouse, 315 West Main Street, Walla Walla, Washington on the following proposed ordinance:

ORDINANCE NO.

AN ORDINANCE AMENDING FRANCHISE NO. 239 ADOPTED AUGUST 16, 1983, GRANTED TO TCI CABLEVISION OF YAKIMA, INC., SUCCESSOR IN INTEREST TO THE ORIGINAL GRANTEE GROUP W CABLE.

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WHEREAS, the County and Grantee have agreed to amend Franchise No. 239 to include and incorporate the geographic area serviced by Franchise No. 195; and

WHEREAS, the Board of County Commissioners of the County has found good grounds therefor:

BE IT HEREBY ORDAINED BY THE COUNTY OF WALLA WALLA, WASHINGTON:

1. That Franchise No. 239 dated August 16, 1983 between the County of Walla Walla and TCI Cablevision of Yakima, Inc., is hereby amended as follows:

That the following legal description of a geographic area to be served by Franchise NO. 239 shall be added to paragraph two on page one:

From N.W. corner of Sec. 4, T8N, Rge 37E.W.M., south to the Washington Oregon State line, thence in a counter clockwise direction along the County line to the point of beginning.

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II. That Franchise No. 195 shall be terminated and no longer be in effect.

III. That all requirements and provisions of Franchise No. 239 dated August 16, 1983 and this Amending Ordinance shall be subject to applicable federal, state and local law.

V. That this Ordinance shall take effect and be in force upon passage and approval by the Board of County Commissioners.

Dated at Walla Walla, Washington this 14th day of October, 1992.

Erlis Fink, Clerk of the Board of County Commissioners Walla Walla County, Washington

The Times
October 22, 1992

Proof of Publication

Case No. _____

STATE OF WASHINGTON,
County of Walla Walla

ss.

Ron Smith

, being first duly sworn on oath, deposes and says: That he is the Publisher of The Times, a weekly newspaper which has been established, published in the English language, and circulated continuously as a weekly newspaper in the City of Waitsburg, and in said County and State, and of general circulation in said County for more than six (6) months prior to the date of the first publication of the Notice hereto attached.

That said newspaper is the official newspaper of the City of Waitsburg and of the County of Walla Walla.

That The Times was, on the 14th day of June, 1955, approved as a legal newspaper by the Superior Court of said Walla Walla County, and that the annexed is a true copy of a

Notice of ~~Public~~ Hearing

as it appeared in the regular and entire issue of said newspaper itself and not in a supplement thereof for a period of one consecutive weeks, commencing on the 22 day of October, 19 92 and ending on the _____ day of _____, 19 ____ and that said newspaper was regularly distributed to its subscribers during all of this period.

That the full amount of \$ 42.53 has been paid in full, at the rate of \$ 4.05 per column inch.

Ron Smith, Publisher

Subscribed and sworn to before me this

22 day of October, 19 92

Bette L. Chase

Notary Public in and for the State of Washington,
Residing at Waitsburg, Washington 99361

AFFIDAVIT OF POSTING

In the Matter of a Hear-)
ing to adopt an Ordinance)
to Amend Franchise No.) ss.
239, requested by TCI)
Cablevision)

I, Being first duly sworn on oath depose and say;

That on the 15th day of October 1992, I posted three notices,
of which the attached is a true and correct copy, at the following locations:

- ✓ Bulletin Board at the County Courthouse
- ✓ Bulletin Board at City Hall
- ✓ Bulletin Board at Public Library

all in Walla Walla, Washington.

Signature/Title

Lyns Fink

Clerk of the Board of County Commissioners

Subscribed and sworn to before me this 15th day of October, 1992.

Signature/Title

David N. Carey

Chairman, Board of County Commissioners

Walla Walla County, Washington 99362

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

COPY

IN THE MATTER OF SETTING A
HEARING DATE TO ADOPT AN
ORDINANCE AMENDING FRAN-
CHISE NO. 239

RESOLUTION NO. 92 433

WHEREAS, TCI Cablevision of Yakima, Inc. has requested an amendment to Franchise No. 239, adopted August 16, 1983, to include and incorporate the geographic area serviced by said Franchise; now, therefore,

BE IT RESOLVED by this Board of Walla Walla County Commissioners that a public hearing be set for November 2, 1992, at the hour of 2:30 p.m., in the Commissioners' Chambers, County Courthouse, 315 West Main Street, Walla Walla, Washington, to receive public testimony in favor of or in opposition to an ordinance amending Franchise No. 239.

Done this 13th day of October, 19 92

Attest:

Erlene Fink
Clerk of the Board.

David S. Conroy
Chairman
Ray Needham
Commissioner
Charles A. Martin
Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

To: County Commissioners

From: Jim Nagle

Subject: TCI Cablevision Franchise Ordinance

I have reviewed the proposed ordinance amending Franchise number 239 to include the area in Franchise no. 195 and thereafter terminating no. 195. The proposed ordinance is in the proper form and can be adopted with the language contained. This memo constitutes this office's approval as to form. Thank you for referring it to me for review.

RECEIVED

AUG 25 1992

WALLA WALLA COUNTY
COMMISSIONERS

COPY ✓ 3

FILE ✓

ACTION 1-RN/BO/CM

ORDINANCE NO. _____

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ADOPTED AUGUST 16, 1983, GRANTED TO TCI
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WHEREAS, on August 29, 1978 the County adopted Franchise No. 195, granted to Grantee, successor in interest to Waitsburg T.V. Cable, to construct, own and operate a community antenna television system within the County areas described below for a term of fifteen (15) years to and including August 28, 1993; and

WHEREAS, the County and Grantee have agreed to amend Franchise No. 239 to include and incorporate the geographic area serviced by Franchise No. 195; and

WHEREAS, the Board of County Commissioners of the County has found good grounds therefor:

BE IT HEREBY ORDAINED BY THE COUNTY OF WALLA WALLA, WASHINGTON:

- I. That Franchise No. 239 dated August 16, 1983 between the County of Walla Walla and TCI Cablevision of Yakima, Inc., is hereby amended as follows:

That the following legal description of a geographic area to be served by Franchise No. 239 shall be added to paragraph two on page one:

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- II. That Franchise No. 195 shall be terminated and no longer be in effect.
- III. That all requirements and provisions of Franchise No. 239 dated August 16, 1983 not amended by this Ordinance continue in full force and effect, subject to applicable federal and state law.
- IV. That all requirements and provisions of Franchise No. 239 dated August 16, 1983 and this Amending Ordinance shall be subject to applicable federal, state and local law.
- V. That this Ordinance shall take effect and be in force upon passage and approval by the Board of County Commissioners.

Approved on this _____ day of _____, 1992.

County of Walla Walla, Washington

By: _____

Title: _____

Accepted this _____ day of _____, 1992 by:

TCI Cablevision of Yakima, Inc.

By: _____

Title: _____

COPY

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Approved on this _____ day of _____, 1992.

County of Walla Walla, Washington

By: _____

Title: _____

Accepted this _____ day of _____, 1992 by:

TCI Cablevision of Yakima, Inc.

By: _____

Title: _____

To: County Commissioners
From: Jim Nagle
Subject: TCI Cablevision Franchise Ordinance

COPY

I have reviewed the proposed ordinance amending Franchise number 239 to include the area in Franchise no. 195 and thereafter terminating no. 195. The proposed ordinance is in the proper form and can be adopted with the language contained. This memo constitutes this office's approval as to form. Thank you for referring it to me for review.

RECEIVED
SEP 28 1992
WALLA WALLA COUNTY
COMMISSIONERS

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Approved on this _____ day of _____, 1992.

County of Walla Walla, Washington

By: _____

Title: _____

Accepted this _____ day of _____, 1992 by:

TCI Cablevision of Yakima, Inc.

By: _____

Title: _____

COPY

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Walla Walla County, Washington, will hold a public hearing on Monday, November 2, 1992, at the hour of 2:30 p.m., at the Commissioners' Commissioners, County Courthouse, 315 West Main Street, Walla Walla, Washington on the following proposed ordinance:

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WHEREAS, the County and Grantee have agreed to amend Franchise No. 239 to include and incorporate the geographic area serviced by Franchise No. 195; and

WHEREAS, the Board of County Commissioners of the County of Walla Walla, Washington, on the grounds therefor:

BE IT HEREBY ORDAINED BY THE COUNTY OF WALLA WALLA

- I. That Franchise No. 239 dated August 16, 1983 between the County of Walla Walla and TCI Cablevision of Yakima, Inc., is hereby amended as follows:

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Mailed to The Times 10/15/92 e.f.

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- V. That this Ordinance shall take effect and be in force upon passage and approval by the Board of County Commissioners.

Dated at Walla Walla, Washington this 14th day of October, 1992.

Erlys Fink, Clerk of the Board of County Commissioners
Walla Walla County, Washington

Publish: The Times
October 22, 1992

Please send statement to: Walla Walla County Commissioners
P. O. Box 1506
Walla Walla, WA 99362
Telephone No. (509) 527-3200

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Dated at Walla Walla, Washington this 14th day of October, 1992.

Erlys Fink, Clerk of the Board of County Commissioners
Walla Walla County, Washington

Publish: The Times
October 22, 1992

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON IN AND FOR
THE COUNTY OF WALLA WALLA

In re the Estate of:
NELLIE G. LONG, Deceased.

The Personal Representative named below has been appointed and has qualified as Personal Representative of this estate. Persons having claims against the deceased must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on the Personal Representative or the attorneys of record at the address stated below and file an executed copy of the claim with this Clerk of this Court within four (4) months after the date of first publication of this Notice or within four (4) months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later or, except under those provisions included in RCW 11.40.011 or 11.40.013, the claim will be forever barred.

DATE OF FILING NOTICE TO CREDITORS: Oct. 8, 1992.

DATE OF FIRST PUBLICATION: Oct. 15, 1992.

WILLIAM ERNEST LONG
Personal Representative
JERRY A. VOTENDAH, WSBA #4087
Attorney for Personal Representative
6 1/2 N. Second, Suite 201

P.O. Box 535
Walla Walla, WA 99362
(509) 529-5466
FAX (509) 525-0630

The Times
October 15, 22, 29, 1992

NOTICE TO CREDITORS
NO. 92-4-00200-9

SUPERIOR COURT OF WASHINGTON -
WALLA WALLA COUNTY

In the Matter of the Estate of
RODGER W. SCHMERER,
Deceased.

The Personal Representative named below has been appointed and has qualified as Personal Representative of this estate. Persons having claims against the deceased must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on the Personal Representative or the attorneys of record at the address stated below and file an executed copy of the claim with the Clerk of this Court within four months after the date of first publication of this notice or within four months after the date of the filing of the copy of this notice with the Clerk of the Court, whichever is later or, except under those provisions included in RCW 11.40.011 or RCW 11.30.013, the claim will be forever barred.

DATE OF FILING: October 5, 1992
DATE OF FIRST PUBLICATION: October 8, 1992

Dana W. Schmerer
Personal Representative
Daniel J. Roach
of ROACH AND MONAHAN
Attorneys for Personal Representative
11 S. Second Street
P.O. Box 1815
Walla Walla, WA 99362
Phone (509) 529-5700

The Times
October 8, 15, 22, 1992

record to:

Walla Walla County Regional Planning
310 W. ar, Suite 117
Walla Walla, WA 99362

or call 509-527-3285 for further information on this proposal.

This item will be heard by the Board of County Commissioners on November 16, 1992.

DATED THIS 22nd day of October, 1992
WALLA WALLA COUNTY PLANNING
COMMISSION

Darcey Fugman-Small
Interim Planning Director

The Times
October 22, 1992

OFFICIAL CALL FOR BIDS

Sealed bids will be received at the Walla Walla County Commissioner's office in the County Courthouse, 315 West Main Street, Walla Walla, Washington 99362, until 2:00 P.M. on Monday, November 2, 1992 and will then and there be opened and publicly read for the construction of the improvements(s).

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check, or surety bond in an amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated in the specifications, the bid proposal deposit shall be forfeited to the Walla Walla County Department of Public Works.

Information copies of maps, plans and specifications are on file for inspection at the Walla Walla County Department of Public Works.

Prospective bidders who are not prequalified with the Washington State Department of Transportation must apply for prequalification with Walla Walla County Department of Public Works. Those bids received from prospective bidders who are not prequalified will be deemed as not responsive and their proposal rejected.

Questions concerning this project should be directed to Mr. David Eids at (509) 527-3241. Complete bidding information and specifications are available on request upon payment of a non-refundable fee of \$20.00 from the Director of Public Works' Office, 3rd and "A" Streets - Airport, P.O. Box 813, Walla Walla, Washington 99362. Telephone (509) 527-3241. Office Hours - Monday through Thursday - 7:00 a.m. to 5:30 p.m.

The improvement for which bids will be received is described below:

This contract provides for the improvement of 0.063 mile of Ferris Road, Walla Walla County, by removing existing timber bridges, constructing a 25 ft. cast-in-place concrete bridge, channel realignment, grading, drainage, placing crushed surfacing, placing ACP, Class B riprap, installing beam guardrail and other work, all in accordance with the Contract Plans, Contract Provisions, and the Standard Specifications.

Bid must be sealed and plainly marked, "SEALED BID - HUNGATE BRIDGE".

For the Board of Walla Walla County Commissioners.

By: Steven H. Stanton, P.E.
Director of Public Works

The Times
October 8, 15, 22, 1992

The Times
October 22, 1992

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BE IT HEREBY ORDAINED BY THE COUNTY OF WALLA WALLA, WASHINGTON:

1. That Franchise No. 239 dated August 16, 1983 between the County of Walla Walla and TCI Cablevision of Yakima, Inc., is hereby amended as follows:

That the following legal description of a geographic area to be served by Franchise NO. 239 shall be added to paragraph two on page one:

From N.W. corner of Sec. 4, T8N, Rge 37 E.W.M., south to the Washington Oregon State line, thence in a counter clockwise direction along the County line to the point of beginning.

From the N.W. corner of Sec. 30, T12N, Rge 34 E.W.M. south to the Washington Oregon State boundary, thence in a clockwise direction along the County line to the point of beginning.

II. That Franchise No. 195 shall be terminated and no longer be in effect.

III. That all requirements and provisions of Franchise No. 239 dated August 16, 1983 and this Amending Ordinance shall be subject to applicable federal, state and local law.

V. That this Ordinance shall take effect and be in force upon passage and approval by the Board of County Commissioners.

Dated at Walla Walla, Washington this 14th day of October, 1992.

Erls Fink, Clerk of the Board of County Commissioners Walla Walla County, Washington

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