

**COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
ORDINANCE NO. 2013-16**

An Ordinance to Repeal the Cable Television Escrow Fund of the City

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) by its previous enactment of Ordinance Number 2004-26 added §32.33 to the Municipal Code of the City of Hobart establishing the Cable Television Escrow Fund; and

WHEREAS, said Fund was established for the purpose of holding the security deposit required by the 1983 franchise agreement between the City and Comcast’s predecessor in interest, U.S. Cable; and

WHEREAS, such 1983 Agreement was terminated in 2006 after the enactment of I.C. §8-1-34-21, *et seq.* by the Indiana General Assembly which provided for the termination of local franchises for cable television and the grant of State-issued franchises; and

WHEREAS, Comcast has requested the termination and return to it of the security deposit and any interest held in such Escrow Fund at such time that the certificate of deposit held by the Fund matures; and

WHEREAS, there is no legal reason to withhold the return of said deposit and interest, and no reason to continue said Escrow Fund in existence upon the books of the City of Hobart.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana as follows:

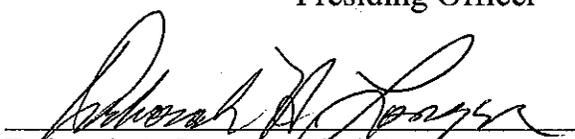
SECTION ONE. The security deposit required by the former cable television franchise agreement by and between the City of Hobart and U.S. Cable, predecessor in interest to Comcast Cable Communications, Inc., is hereby terminated. At such time that the certificate of deposit into which such security deposit is invested by the City matures, the Clerk-Treasurer is directed to pay over the entire balance of the City Cable Television Escrow Account to Comcast.

SECTION TWO. Effective upon said payment being made by the Clerk-Treasurer, §32.33 of the Municipal Code of the City of Hobart is repealed.

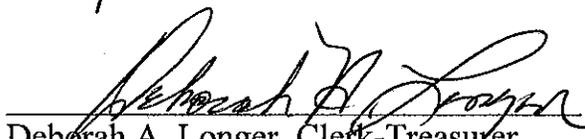
42 **SECTION THREE:** All ordinances or portions thereof in effect prior to the
43 effective date and in conflict with the provisions of this ordinance are hereby
44 repealed.

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46 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the
47 City of Hobart, Indiana on this 17th day of April, 2013.

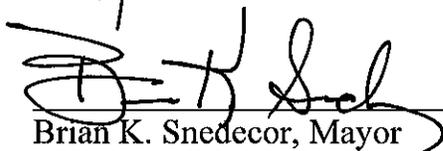
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52 Presiding Officer

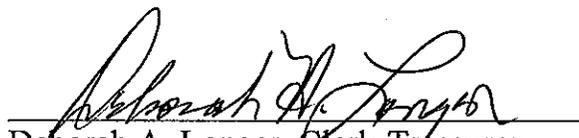
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54 ATTEST: 
55 Deborah A. Longer, Clerk-Treasurer
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58 PRESENTED by me to the Mayor of the City of Hobart on the 17th day of
59 April, 2013 at the hour of 6:46 pm.

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63 Deborah A. Longer, Clerk-Treasurer
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66 APPROVED, EXECUTED and RETURNED by me to the Common Council of
67 the City of Hobart on this 17th day of April, 2013.

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71 Brian K. Snedecor, Mayor
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73
74 ATTEST: 
75 Deborah A. Longer, Clerk-Treasurer
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