

**ACCEPTANCE OF TERMS OF RESOLUTION #2011-085
ADOPTED BY THE BALDWIN COUNTY COMMISSION (“County” or “Baldwin County”)
AUTHORIZING
CABLE OPTIONS, INC.
TO PROVIDE CABLE TELEVISION SERVICES TO RESIDENTS OF
UNINCORPORATED BALDWIN COUNTY**

THIS WRITTEN ACCEPTANCE OF COUNTY RESOLUTION #2011-085 (“Resolution,” attached hereto and incorporated herein) is made by Cable Options, Inc., a domestic corporation organized and existing under the laws of Alabama, and qualified to do business in the State of Alabama (Business Entity ID Number 126-304, Office of Secretary of State, State of Alabama).

Recitals:

1. County adopted the Resolution on the 3rd day November, 2015, imposing certain regulations for cable television service and competitive video service in the unincorporated areas of Baldwin County, Alabama.
2. Pursuant to the Resolution, Cable Options, Inc. made application to the Commission to provide cable television services in Baldwin County.
3. On the 3rd day of November, 2015, the Commission approved the said application, subject to the filing of this written acceptance.

NOW, THEREFORE, pursuant to the terms and requirements of the Resolution, Cable Options, Inc. hereby represents and warrants to the Commission as follows:

Acceptance:

1. Cable Options, Inc. agrees to be bound by the Resolution subject to the terms and conditions herein. Cable Options, Inc. shall timely and fully perform all of the duties and obligations set forth in the Resolution, except for any and all additional or different terms as may be agreed and set out herein (“Acceptance”).
2. Cable Options, Inc. agrees by this written acceptance that the Resolution and Acceptance shall become effective November 3, 2020, and, furthermore, shall supersede its previous Agreement which expires on November 3, 2025.
3. Cable Options, Inc. acknowledges and agrees that it is, and shall be, subject to the regulatory authority of the County as set forth herein and in the Resolution:

(A) Bonds. Cable Options, Inc. shall obtain and maintain a construction bond to the extent required under the County’s generally applicable construction permit laws for any future construction projects conducted in the public rights-of-way. Pursuant to Section 5(D) of the Resolution, Cable Options, Inc. shall not be required to obtain or maintain a performance bond, letter of credit, or other surety during the term of its agreement.

- (B) Insurance. Pursuant to Section 14 of the Resolution, Cable Options, Inc. shall maintain commercial general liability insurance with a minimum of One Million Dollars (\$1,000,000) for bodily injury and property damage per occurrence and Two Million Dollars (\$2,000,000) in the aggregate, and shall name Baldwin County as an additional insured. Cable Options, Inc. shall provide the County with a copy of the certificate of insurance within sixty (60) days of the date of acceptance as shown below.
4. Cable Options, Inc. agrees to cooperate fully with the County and obtain from the County and any governmental agency all licenses, permits, and other authority necessary for lawful construction, operation, maintenance, and expansion of its system under the Resolution.
5. Cable Options, Inc. further represents and warrants as follows:
- (A) That it is a corporation duly organized, validly existing, and in good standing under the laws of Alabama, and has all right and authority necessary to enter into and fully perform all of the duties and obligations of the Grantee under this written acceptance and the Resolution; and
- (B) That it has taken all action necessary to authorize the execution and delivery of this written acceptance and the full performance of all the duties and obligations of the Grantee under the Resolution; and
- (C) That it has the legal, technical, and financial ability to construct, operate, maintain, and expand the system pursuant to the terms of the Resolution; and
- (D) That this written acceptance and the Resolution are binding on Cable Options, Inc. in accordance with their terms, to the extent not inconsistent with state or federal law and as otherwise provided herein.
6. Cable Options, Inc. agrees that all representations, warranties, and agreements contained herein and in the Resolution shall survive the execution of this written acceptance and shall be binding upon Cable Options, Inc.'s permitted successors and assigns.
7. Notwithstanding anything to the contrary, the County and Cable Options, Inc. reserve all rights under federal, state, and local law.

CABLE OPTIONS, INC., an Alabama Corporation

By: _____
J. ALEX BOWAB
Its: Partner, Cable Options, Inc.

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 2020, before me, a Notary Public within and for _____ County, _____, appeared Name & Title, and that with full authority, executed the foregoing document as his free act and deed on behalf of said corporation.

NOTARY PUBLIC

Print Name: _____

My Commission Expires: _____

(Seal)