

② City of Conway
2008

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FAULKNER COUNTY CIRCUIT CLERK

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by

312803

D. C.

**City of Conway, Arkansas
Ordinance No. O-08-110**

AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE D/B/A AT&T ARKANSAS FOR USE OF THE CITY RIGHTS-OF-WAY TO PROVIDE INTERNET PROTOCOL- ENABLED VIDEO SERVICES, WITHIN THE CORPORATE LIMITS OF CONWAY, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, AT&T Arkansas has approached the City about its intent to offer internet protocol-enabled video services ("IP-enabled video services") to customers within the corporate limits of the City of Conway; and

WHEREAS, the agreement attached as Exhibit A to this ordinance sets forth the terms and conditions of that agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The Mayor is hereby authorized to execute an agreement, in a form substantially the same as that attached as Exhibit A to this ordinance, which permits AT&T Arkansas to provide IP-enabled video services to the citizens located within the corporate limits of the City of Conway, Arkansas using the City rights-of-way.

Section 2. **Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 3. **Repealer.** All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

This Ordinance is adopted this 23rd day of September, 2008.

APPROVED:

**Tab Townsell
Mayor**

ATTEST:

**Michael O. Garrett
City Clerk/Treasurer**