

Resolution #2012-84

A RESOLUTION APPROVING AN APPLICATION SEEKING MEMBERSHIP AS A JURISDICTIONAL MEMBER OF THE SOUTH CENTRAL ALABAMA BROADBAND COOPERATIVE DISTRICT AND AUTHORIZING SUCH MEMBERSHIP APPLICATION

BE IT RESOLVED by the MAYOR AND THE CITY COUNCIL OF VALLEY GRANDE, ALABAMA (herein called the “Town Council”), as follows:

Section 1. That the Town Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the Council, which is the governing body of the City of Valley Grande, Alabama (herein called the “Council”), that such application was signed by not less than three natural person and that each of said persons is a duly qualified elector of the **City of Valley Grande**, Alabama (herein called the “City”), in which the City and its Police Jurisdiction is situated:

APPLICATION FOR JURISDICTIONAL MEMBERSHIP

TO THE GOVERNING BODY OF THE SOUTH CENTRAL ALABAMA BROADBAND COOPERATIVE DISTRICT, the Authority:

We, the undersigned natural persons (the “Applicants”), who are duly qualified electors of the **City of Valley Grande**, Alabama, do hereby apply to become a Jurisdictional Member of the South Central Alabama Broadband Cooperative District (the “District”) pursuant to the provisions of the statues codified as Chapter 99B, Title 11, Code of Alabama 1975, as heretofore or hereafter amended or supplemented (the “Act”), and the Applicants do further state as follows:

- (1) The projects that the District proposes to acquire or construct are cable systems, telecommunications equipment and telecommunications systems, cable service, interactive computer services, telecommunications services, broadband internet access and other internet services and advanced telecommunications services or any combination thereof (the “System”) to furnish broadband internet service to the public in the area described below.
- (2) The general description of the area in which the District proposes to acquire or construct the System and in which the District proposes to furnish services from the System is as follows:

Butler County, Alabama, Conecuh County, Alabama, Crenshaw County, Alabama, **Dallas County, Alabama**, Escambia, County, Alabama, Lowndes County, Alabama, Macon County, Alabama, and Wilcox County, Alabama.
- (3) The current members of the District are the Town of Fort Deposit, Alabama, the Town of Hayneville, Alabama and Lowndes County, Alabama.

(4) The District is governed by a board of directors which is comprised of three (3) directors. The initial directors and their successors shall be elected as follows: (i) one such director shall be elected by the governing body of Lowndes County, Alabama, (ii) one such director shall be elected by the governing body of the Town of Fort Deposit, Alabama, and (iii) one such director shall be elected by the governing body of the Town of Hayneville, Alabama, (iv) one such director elected by each joining jurisdictional member.

(5) The proposed location of the principal office of the District is 311 Hayneville Plaza, P.O. Box 534, Hayneville, Alabama 36040, which is within Lowndes County, Alabama.

(6) Each of the Applicants is a duly qualified elector of the City of Valley Grande, Dallas County, Alabama

(7) Upon dissolution of the District as permitted in the Act, title to all property (real, personal and mixed) shall pass to and be vested in the members of the District as provided in Section 11-99B-15, Code of Alabama 1975.

(8) The Governing Body of the South Central Alabama Broadband Cooperative District do hereby request the governing body of the City of Valley Grande, Alabama, adopt a resolution declaring that it is wise, expedient and necessary that the City of Valley Grande, Alabama become a Jurisdictional Member of the South Central Alabama Broadband Cooperative District by amending the District's Certificate of Incorporation to include the City of Valley Grande, Alabama in accordance with the provision of Section 11-99B-4 of the Code of Alabama 1975, as amended.

IN WITNESS WHEREOF, we have hereunto set our signature, this ____ day of _____ 2012.

Mayor City of Valley Grande, Alabama

Chair Valley Grande City Council, Alabama