

## AGREEMENT TO RESOLVE APPLICATION CONFLICTS

This Agreement is made between **Great Lakes Broadcasting Academy, Inc.** ("Academy") and **American Family Association, Inc. ("AFA")** to resolve conflicts between applications pending before the Federal Communications Commission ("the Commission").

*Whereas*, on June 19, 1997, the Holy Trinity Church of God in Christ of Muskegon Heights ("the Church") requested the Commission to withdraw its application File No. BPED-961023MF on Channel 201 for Muskegon, Michigan, and such withdrawal was made as a matter of right (47 C.F.R. § 73.3568(a)); and

*Whereas*, the aforesaid unilateral withdrawal of the Church's application removed all conflicts to AFA's application File No. BPED-960502MD on Channel 201 for Muskegon, Michigan; and

*Whereas*, the application of Positive Programming Foundation, for Muskegon, File No. BPED-970725MG, was DISMISSED WITH PREJUDICE by the Commission on February 26, 1998; and

*Therefore, Subject to prior approval* of this Agreement by the Commission, the parties agree as follows:

1. **Hesperia, Michigan - File No. BPED-970404ML**

Upon Commission approval of this agreement, AFA will withdraw its Application BPED-970404ML for Hesperia, Michigan, thereby resolving all conflicts to Academy's application File No. BPED-961224MC on Channel 219 for Muskegon.

2. **Baldwin, Michigan - File No. BPED-980112MH**

Academy agrees to withdraw or amend its application File No. BPED-980112MH on Channel 220 for Baldwin, Michigan to remove interference with its Muskegon application.

3. **Swap of Muskegon Construction Permits**

Upon grant of construction permits for both new noncommercial educational FM stations for Muskegon, Michigan, Files No. BPED-960502MD and No. BPED-961224MC, AFA and Academy will seek Commission approval to swap those construction permits, and will assign their respective Muskegon construction permits, each to the other.

4. **No Consideration**

The Parties acknowledge that the mutual promises exchanged in this Agreement are the only consideration for this Agreement, and that no monetary consideration is involved. This Agreement is the entire contract between the parties and supercedes any previous conversations or understandings.

5. **Dispute Resolution**

Any claim or dispute arising from or related to this Agreement shall be settled by

EXHIBIT

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mediation and, if necessary, legally binding arbitration in accordance with the *Rules of Procedure for Christian Conciliation* of the Institute for Christian Conciliation. Judgment upon an arbitration decision may be entered in any court otherwise having jurisdiction.

**Great Lakes Broadcasting Academy, Inc.**

Dr. James J. McCluskey 5/15/98  
Dr. James J. McCluskey, Director      Date

**American Family Association, Inc.**

Donald E. Wildmon 4/24/98  
Donald E. Wildmon, President      Date