

ORDINANCE

AN ORDINANCE GRANTING A FRANCHISE TO MIDWEST NATURAL GAS, INC., ITS SUCCESSORS AND ASSIGNS, TO OPERATE AND MAINTAIN A GAS PLANT, GAS SYSTEM OR BOTH, IN THE Township of Wascott, Douglas County, Wisconsin, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE, AND PRESCRIBING PENALTY FOR THE VIOLATION OF ITS PROVISIONS.

BE IT ORDAINED BY THE Board of Supervisors OF THE Township of Wascott, Douglas County, Wisconsin:

SECTION 1. GRANT OF AFRANCHISE

There is hereby granted to the Midwest Natural Gas Inc., a Wisconsin corporation, its successors and assigns, hereinafter referred to as "Company", the right and privilege to acquire, erect, construct, operate and maintain a gas plant, gas system, or both, and to import, transport, sell and distribute gas, whether natural, manufactured, mixed or propane within the Township of Wascott, and for these purposes to establish the necessary facilities and equipment and to lay and maintain gas mains, service pipes, and any other appurtenances necessary to the sale and distribution of gas in and along the street, alleys and other public ways and places of the Township of Wascott; provided, however, that nothing herein shall prevent or limit any person from importing, transporting, selling or distributing liquid petroleum or liquid propane gas within said Township of Wascott. This Ordinance shall be void if the Company shall not have commenced to provide service within a three year period after acceptance date.

SECTION 2. CONDITIONS OF STREET OCCUPANCY

(1) Use: All pipes, mains and other natural, artificial or mixed gas equipment and apparatus laid or placed by the Company shall be so located in the streets, alleys, public ways and placed in the Township of Wascott as not to obstruct or interfere with any water pipes, sewers, drains or other structures. The Company shall, when practicable, avoid interfering with the use of any street, alley or other highway where the paving or surface of such street, alley or other highway would be disturbed. Proposed location of all pipes and mains shall be submitted to the Board of Supervisors of the Township of Wascott or its designated committee, to co-ordinate the best interests of the Township of Wascott and the Company.

The Township of Mascott shall notify the Company's representatives within five (5) days after the presentation of any claim or demand, either by suit or otherwise, made against the Township of Mascott, on account of any negligence as aforesaid on the part of the Company.

SECTION 6. ACCEPTANCE

The Company, its successors and assigns, shall if it accepts this Ordinance and the rights hereby granted, file a written acceptance of this Ordinance with the Township of Mascott within sixty (60) days from the date of publication of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

PASSED: August 17, 1965

Arthur J. ...

Arthur J. ...