

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT made and entered into this 8th day of December, 2014, by and between the **CITY OF GEORGETOWN**, a municipal corporation and political subdivision of the Commonwealth of Kentucky (hereinafter "Georgetown"), and **COLUMBIA GAS COMPANY**, a corporation created and existing under and by virtue of the laws of the Commonwealth of Kentucky,(hereinafter "Columbia Gas").

WITNESSETH:

WHEREAS, by Ordinance 2014-017 adopted August 25, 2014, Georgetown provided for the creation and sale of a non-exclusive franchise, for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way of the City of Georgetown for an initial ten (10) year period with up to two (2) additional extensions of time of five (5) years each; and

WHEREAS, Ordinance 2014-017 authorized the advertising for bids on said franchise, and Columbia Gas submitted a timely bid to acquire said franchise; and

WHEREAS, by Ordinance No. 2014-024 adopted December 8, 2014, Georgetown accepted the bid of Columbia Gas to acquire said franchise; and

WHEREAS, Georgetown and Columbia Gas have entered into this Franchise Agreement to memorialize the sale by Georgetown to Columbia Gas of said franchise subject to the terms and conditions reflected in Ordinance 2014-017 and Ordinance 2014-024 (collectively, the "Ordinances").



NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained herein the receipt and sufficiency of which are hereby acknowledged, Georgetown and Columbia Gas hereby agree to incorporate the foregoing recitals as if fully set forth herein and further agree as follows:

1. Ordinance 2014-017, which is attached hereto as Exhibit "A", is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

2. The bid of Columbia Gas for said franchise, which is attached hereto as Exhibit "B", is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

3. Ordinance 20104-024, which is attached hereto as Exhibit "C", is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

3. Georgetown has granted unto Columbia Gas a non-exclusive franchise, for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way of the City of Georgetown for an initial ten (10) year period with up to two (2) additional extensions of time of five (5) years each.

4. The franchise memorialized in this Franchise Agreement shall commence December 8, 2014, and shall expire as provided in the terms and provisions of Ordinance 2014-017.

5. Columbia Gas does hereby bind itself, its successors and assigns, to faithfully and fully perform each and every condition of said franchise as memorialized in this Agreement, and further to faithfully perform all acts required of it as the purchaser of said franchise.

6. This Franchise Agreement memorializes the agreement between the parties contained and embodied in the Ordinances and shall be binding upon and inure to the benefit of the respective successors in interest to the parties hereto.



IN WITNESS WHEREOF, Georgetown and Columbia Gas have executed this Franchise Agreement as their free and voluntary act and deed effective as of the day and year first above written.

[Signatures on following page]



Exhibit List

- A Ordinance 14-017
- B Bid
- C Ordinance _____



CITY OF GEORGETOWN
BY: Isaiah North
MAYOR

ATTEST:
Travis Hoffman
CITY CLERK

COLUMBIA GAS COMPANY, INC.
BY: Herb Miller
HERB MILLER, PRESIDENT

STATE OF KENTUCKY)
)
COUNTY OF Fayette)

The foregoing Franchise Agreement was subscribed, sworn to and acknowledged before me
by Herb Miller, as President of Columbia Gas Company, on this the 8th day of March, ~~2014~~ ²⁰¹⁶.

My commission expires: 05/15/2018

Evelyn Lory Allen
NOTARY PUBLIC
KENTUCKY, STATE-AT-LARGE
#419232

