

NATURAL GAS FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT made and entered into this 14th day of December , 2023, by and between the **CITY OF WEST BUECHEL**, a municipal corporation and political subdivision of the Commonwealth of Kentucky (hereinafter "West Buechel"), and **LOUISVILLE GAS AND ELECTRIC COMPANY**, a corporation created and existing under and by virtue of the laws of the Commonwealth of Kentucky, with its principal office at 220 West Main Street, Louisville, Kentucky 40202 (hereinafter "LG&E").

WITNESSETH:

WHEREAS, by Ordinance No. 309 Series 2023 adopted October 12, 2023, West Buechel provided for the creation and sale of a non-exclusive franchise, for a term of twenty (20) years, to enter upon, lay, acquire, construct, operate, maintain, install, use and repair, in the public right-of-way of West Buechel, a system or works for the transmission, distribution and sale of natural gas from points either within or without the corporate limits of West Buechel, to West Buechel and the inhabitants thereof, and from and through West Buechel to persons, corporations and municipalities beyond the limits thereof, and for the sale of same for light, heat, power and other purposes; and

WHEREAS, Ordinance No. 309 Series 2023 authorized the advertising for bids on said franchise, and LG&E submitted a timely bid to acquire said franchise; and

WHEREAS, by Resolution No. 004 adopted December 14th, 2023, West Buechel accepted the bid of LG&E to acquire said franchise; and

WHEREAS, West Buechel and LG&E have entered into this Franchise Agreement to memorialize the sale by West Buechel to LG&E of said franchise subject to the terms and conditions reflected in Ordinance No. 309 Series 2023 and Resolution 004



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

1. Ordinance No. 309 Series 2023, 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 LG&E 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. Resolution No. 004, which is attached hereto as Exhibit “C”, is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

4. West Buechel has granted unto LG&E a non-exclusive franchise, for a term of twenty (20) years, to enter upon, lay, acquire, construct, operate, maintain, install, use and repair, in the public right-of-way of West Buechel, a system or works for the sale, transmission and distribution of natural gas within the corporate boundaries of West Buechel subject to the provisions of Ordinance No. 309 Series 2023 and Resolution No. 004.

5. The franchise memorialized in this Franchise Agreement shall commence January 1, 2024, and shall expire as provided in the terms and provisions of Ordinance No. 309 Series 2023 and Resolution No. 004.

6. LG&E 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.



7. This Franchise Agreement memorializes the agreement between the parties contained and embodied in Ordinance 309 Series 2023 and Resolution No. 004 and shall be binding upon and inure to the benefit of the respective successors in interest to the parties hereto.

IN WITNESS WHEREOF, West Buechel and LG&E 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]



CITY OF WEST BUECHEL

BY: Mayor Brenda Moore
MAYOR

ATTEST:

Debbie Battine
CITY CLERK

LOUISVILLE GAS AND ELECTRIC COMPANY

BY: Shannon Montgomery

STATE OF KENTUCKY)
)
COUNTY OF Jefferson)

The foregoing Franchise Agreement was subscribed, sworn to and acknowledged before me
by Shannon Montgomery, as DOB for Eileen Sanders Louisville Gas and Electric Company., on this the 19th day of
Dec, 2023.

My commission expires: March 26, 2026

Valerie A. Phillips
NOTARY PUBLIC
KENTUCKY, STATE-AT-LARGE
KyNP 47448



Exhibit List

- A Ordinance No. 309
- B Bid
- C Resolution No. 004

