

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT, made and entered into this 22nd day of April, 1985, by and between the CITY OF IRVINE, KENTUCKY, hereinafter "City," and COLUMBIA GAS OF KENTUCKY, INC., hereinafter "Company;"

WITNESSETH: WHEREAS, by Ordinance No. 9-24-84 the City created a gas distribution franchise, defined the terms and conditions of said franchise and provided for bidding procedures, and

WHEREAS, after due advertisement as required by law, the Company submitted a bid dated December 13, 1984, wherein it expressly accepted the terms of said Ordinance, which terms include the payment of the consideration for said franchise, and

WHEREAS, the said bid being the only bid received and having been reviewed and found acceptable, and

WHEREAS, the City, by its Resolution No. 9-24-84A, accepted the bid of the Company and awarded the gas distribution franchise to the Company and authorized the execution of this Franchise Agreement by the Mayor of the City;

NOW, THEREFORE, in consideration of the premises and the mutual rights and obligations contained in said Franchise Ordinance, No. 9-24-84, which Ordinance is adopted and made a part hereof as though copied at length herein, the parties agree and bind themselves, their successors and assigns, as follows:

1. Pursuant to Ordinance No. 9-24-84 creating a gas distribution franchise, and Resolution No. 9-24-84A, awarding said franchise to the Company, the City herewith grants to said Company a gas distribution franchise, governed by the provisions of said Ordinance No. 9-24-84, for a period of twenty (20) years from the effective date hereof.

2. This Franchise Agreement and the provisions of City of Irvine Ordinance No. 9-24-84 shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns.



3. This Agreement shall become effective on the first day of May, 1985.

IN WITNESS WHEREOF, this Agreement has been executed on behalf of the City of Irvine, Kentucky, acting by and through its Mayor, Leon Roberts, pursuant to authority duly granted, and on behalf of Columbia Gas of Kentucky, Inc., acting by and through its Vice-President, John M. Pickens, pursuant to authority duly granted.

ATTEST:

CITY OF IRVINE, KENTUCKY

Shaye Embbs
Asst. Clerk

By Leon Roberts
Leon Roberts, Mayor

ATTEST:

COLUMBIA GAS OF KENTUCKY, INC.

J. L. Fullin
J. L. Fullin
Assistant Secretary

By John M. Pickens
John M. Pickens
Vice-President

TARIFF BRANCH
RECEIVED
10/19/2012
PUBLIC SERVICE
COMMISSION
OF KENTUCKY