

ORDINANCE NO. 1967-1

AN ORDINANCE GRANTING ARKANSAS LOUISIANA GAS COMPANY THE RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE A NATURAL GAS DISTRIBUTION SYSTEM AND TO USE THE PUBLIC STREETS AND PUBLIC GROUNDS FOR THAT PURPOSE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BROOKLAND, ARKANSAS:

That Arkansas Louisiana Gas Company, its successors and assigns, hereinafter called "Grantee", are hereby granted the right to construct, maintain and operate in this Municipality a system for the transportation, distribution and sale of natural gas and to use, and excavate in, the public streets, sidewalks, alleys and grounds for that purpose, for the period provided by law.

The system shall be installed and operated in a workmanlike manner, and this Municipality shall be held harmless from any damages caused by the negligence of Grantee's employees in the course of their employment. Grantee shall tunnel beneath paved streets, sidewalks and alleys wherever practical in laying and replacing mains. Grantee shall refill its excavations and restore sidewalks and pavements promptly, and if this is not done within a reasonable time then it may be done by this Municipality at Grantee's expense. Grantee's lines shall be laid so as not to interfere with the present sewer system, and if a new sewer line crosses Grantee's pipeline at the same level, then this Municipality may, if Grantee has not done so after the reasonable notice, raise or lower Grantee's line at Grantee's expense but only under Grantee's supervision. This Municipality may inspect Grantee's construction work at any time, or have said work inspected by a qualified engineer.

Grantee shall deliver gas to the consumer at the curb line, or within 10 feet of the property line where no curb line has been determined, and all service pipes and facilities necessary to receive and utilize the gas at that point shall be furnished and maintained by the consumer, except that Grantee shall furnish and connect the gas meter. Title to all equipment installed by Grantee shall remain in Grantee. Grantee shall extend its mains to serve new customers where reasonably assured of enough new customers and revenues therefrom to justify the capital expenditure necessary to establish the service. Grantee may promulgate and enforce reasonable rules, regulations and requirements governing the sale, delivery, receipt and use of gas furnished by Grantee and the commencement and discontinuance of gas service.

The rates to be initially charged for gas service by Grantee hereunder shall be the applicable rates under Grantee's Rate Schedules G-60, G-62, G-65 and Riders G-163 and G-563-AC, as presently filed with the Arkansas Public Service Commission, subject to change from time to time in the manner provided by law.

The provisions hereof are intended to be separate and severable, and the holding of any portion hereof to be invalid shall not affect the other portions.

This ordinance shall not be effective unless accepted by Grantee by written notice to the Mayor within ninety (90) days after either the date of its passage or the date all approvals necessary to enable Grantee to serve this Municipality have been granted by federal and state authorities with jurisdiction, whichever is later.

PASSED AND APPROVED THIS 22nd DAY OF August, 1967.

Lester Elder
Mayor

ATTEST:

Lamie D. Elder
Recorder

1967-1

STATE OF ARKANSAS)
)
COUNTY OF CRAIGHEAD)

I, the undersigned Municipal Recorder of the Town of Brookland, Arkansas, certify that the foregoing is a true and correct copy of Ordinance No. _____, which was duly and regularly passed by the Town Council of Brookland, Arkansas at a regular meeting on the _____ day of _____, 1967, by a majority of the whole number of members elected to the Council, the yeas and nays having been duly called and recorded, after two-thirds of the members composing the Council had dispensed with the rule that it be read on three different days, and the said Ordinance, after passage, was authenticated by the signatures of the presiding officer of the governing body and the recorder and then duly recorded in the book kept for that purpose.

TO CERTIFY WHICH, WITNESS MY HAND AND THE OFFICIAL SEAL OF THIS MUNICIPALITY this 22nd day of August, 1967.

Lammie D. Elden
Recorder



ARKANSAS LOUISIANA GAS COMPANY

P. O. BOX 1734 • SHREVEPORT, LOUISIANA • 71102

ACCEPTANCE OF FRANCHISE

BE IT KNOWN THAT, Arkansas Louisiana Gas Company does
by these presents hereby accept that certain franchise granted
to it by the Town of Brookland, Arkansas, by ordinance duly
passed on the 22nd day of August, 1967.

DONE AND SIGNED on behalf of Arkansas Louisiana Gas
Company by D. W. WEIR, its Executive Vice President, acting
pursuant to due and proper authorization, on this 1st day
of September, 1967.

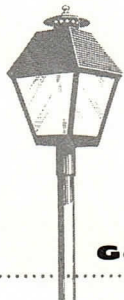
ATTEST:


J. P. Hallerman
Secretary

ARKANSAS LOUISIANA GAS COMPANY

By

D. W. Weir
Executive Vice President



Gaslife by ARKLA