

RESOLUTION

WHEREAS, the Public Service Commission has heretofore allocated the area of the City of Brookland, Arkansas, to be served by Craighead Electric Cooperative Corporation, and it is desired to adjust the service of electricity in accord with the orders of the Commission, and, after consideration and negotiation, terms of a franchise contract have been agreed upon which are deemed to be advantageous to the City of Brookland and the citizens residing in the area affected.

BE IT, THEREFORE, RESOLVED That the Council of the City of Brookland approve and the Mayor and the Recorder are authorized and hereby directed to execute and deliver to Craighead Electric Cooperative Corporation a contract, copy of which is presented to the City Council and ordered included in the minutes of this meeting.

CERTIFICATE

I, Ralph Elder, Recorder of the City of Brookland, Arkansas, certify that the foregoing Resolution was presented concerning Franchise Contract attached thereto at a regular meeting of the City Council of Brookland, at which a quorum was present.

IN WITNESS WHEREOF I have hereunto set my signature on this

24th day of January, 1964

Ralph Elder
RECORDER

(SEAL)

FRANCHISE AND SERVICE AGREEMENT

For and in consideration of Craighead Electric Cooperative Corporation installing, operating and furnishing electrical distribution facilities in that portion of the City of Brookland, allotted to said Cooperative by Order of the Public Service Commission of the State of Arkansas, Docket No. 430, dated February 18, 1941 the City of Brookland, by its duly constituted and acting officers grants to said Cooperative Corporation the right, privilege, easement and franchise for the furnishing and supplying of electrical energy within the area so described, together with the right to use, construct poles, wires and supports, maintain same, and cross on or over any of the streets, alleys, or publicways within said area for the purpose of supplying electrical energy thereto, such construction to be according to standard practice as set out in the applicable Codes recognized by the electrical industry.

Craighead Electric Cooperative Corporation agrees to furnish and maintain 175 watt Mercury Vapor street lights on existing poles, as designated by the Mayor of the City, and, in absence of designation, as fixed by the Craighead Electric Cooperative Corporation, numbering one such street light for each five customer meters existing within the allotted service area. The City may request additional lights, the installation and operation of which shall be charged to the City, at rates no greater than those applicable to other like situations in other areas served by the Craighead Electric.

The residents or users of electricity within the area shall be served subject to the standard regulations and cost of electrical energy applicable to all other like users who are served by Craighead Electric. Craighead Electric agrees to promptly supply electrical energy to any and every applicant within the area subject to such standard rules and regulations.

In addition to the street lighting mentioned above, Craighead Electric will pay to the City of Brookland, Arkansas, five (5) per cent of the gross receipts from the sale of electrical energy excluding charges for sales tax or any other collection except for electrical energy, which payment shall be made within 20 days of the closing of Craighead Electric's books at the end of its fiscal year, and the amount shall be, if requested by the City, certified by the Certified Public Accountant who performs the annual audit of Craighead Electric.

No failure of power supply or otherwise connected with the undertakings of the parties shall void this franchise, and both parties shall be limited to the enforcement of the terms of the contract instead of voiding same. Craighead Electric shall have a reasonable time to correct any deficiencies under this contract and any supply of electrical energy after notice is received.

WITNESS our hands this 24 day of January, 1964

CITY OF BROOKLAND

By Lester Elder
MAYOR

((SEAL))

By Ralph Elder
RECORDER

CRAIGHEAD ELECTRIC COOPERATIVE CORPORATION

By A. Z. Chapman
PRESIDENT

((SEAL))

By Oscar Robinson
SECRETARY