

PRESQUE ISLE ELECTRIC & GAS CO-OP  
NATURAL GAS FRANCHISE

Township of Bearinger, Presque Isle County, Michigan

1998 General Election (Insert Correct Date)

INSTRUCTIONS: If you wish to vote for confirmation of the NATURAL GAS franchise, make a cross (X) in the square before the word "yes".

If you wish to vote against the confirmation of the NATURAL GAS franchise, make a cross (X) in the square before the word "no".

Any other mark renders the ballot void.

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Confirming grant of an NATURAL GAS franchise to Presque Isle Electric & Gas Co-op its successors and assigns, for the purpose of constructing, maintaining and operating a natural gas distribution system on, along, and across the highways, streets, alleys, bridges and other public places and to conduct a local natural gas distribution business in the Township of Bearinger, Presque Isle County, Michigan, for a period of thirty (30) years from ~~(date board approves franchise)~~.

2 FEBRUARY 1998

YES

NO

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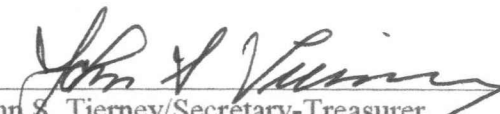
ACCEPTANCE OF AMENDATORY ORDINANCE "B"

Aurora Gas Company hereby accepts the Ordinance amending the Bearinger Township Gas Franchise Ordinance, which said amendatory Ordinance was duly adopted by the favorable vote of the electors of Bearinger Township, Presque Isle County, Michigan on November 3, 1998.

In witness whereof, this Acceptance of Amendatory Ordinance is executed this 30<sup>th</sup> day of November, 1998.

Aurora Gas Company

By:

  
John S. Tierney/Secretary-Treasurer

Donnie,

This is the final step  
to the franchise amendment

Just sign and return the  
Aurora copies.

Thank you for all your  
help.

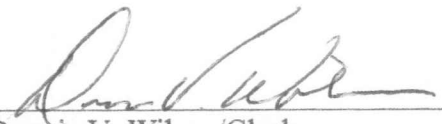


CERTIFICATE

STATE OF MICHIGAN            )  
  ) SS.  
COUNTY OF PRESQUE ISLE )

I, Donnie V. Wilson, Clerk of Bearinger Township, County of Presque Isle, State of Michigan, do hereby certify that the forgoing is a true and correct copy of a written Acceptance of Amendatory Ordinance, the original of which was duly received by me and filed in my office as Township Clerk on 1 December, 1998.

In testimony whereof, I have hereunto set my hand, this 2<sup>nd</sup> day of December, 1998.

  
\_\_\_\_\_  
Donnie V. Wilson/Clerk  
Bearinger Township


[seal]

CERTIFICATE OF PUBLICATION

STATE OF MICHIGAN            )  
  ) SS.  
COUNTY OF PRESQUE ISLE )

I, Donnie V. Wilson, Clerk of the Township of Bearinger, County of Presque Isle, State of Michigan, do hereby certify that a true and complete copy of the attached Ordinance was published on the 13<sup>th</sup> day of November, 1998, in the ONAWAY OUTLOOK, a newspaper printed and circulated within the Township of Bearinger.

In testimony whereof, I have hereunto set my hand and affixed the seal of the Township of Bearinger, this 25 day of November, 1998.

  
\_\_\_\_\_  
Donnie V. Wilson, Clerk  
Township of Bearinger

# Public Notice

AN ORDINANCE to amend the Ordinance entitled "Gas Franchise Ordinance," which was adopted by the Township of Bearinger, County of Presque Isle, State of Michigan, on June 8, 1992.

## THE TOWNSHIP OF BEARINGER HEREBY ORDAINS:

Section 1. Section 12 of the Ordinance entitled "Gas Franchise Ordinance," which was adopted by the Township of Bearinger, County of Presque Isle, State of Michigan, on June 8, 1992, is hereby amended and re-enacted to read as follows:

### Section 12.

The right and franchise granted in this Ordinance shall take effect as provided in Section 14 below, and continue in effect thereafter as an irrevocable franchise for a period of 30 years; provided, however, that this franchise may be surrendered by the Company to the Township at any time, at the will of the Company.

If this franchise expires, or is otherwise terminated, the Company may continue to serve any customers to whom or which the Company is actually providing service pursuant to this franchise on the date of its expiration or termination, and may continue to use and employ its personal property upon, in, over, and under the streets, avenues, lanes, alleys, bridges, public highways and other public places of the Township of Bearinger for that purpose for a period, not to exceed 30 years, for so long as its continues to serve such existing customers; provided, however, that if the

Company surrenders its franchise or surrenders its right to continue serving its then existing customers on or after the date of the expiration or termination of this franchise, then, in that event, the Company may, at its own expense, remove its personal property from the streets, avenues, lanes, alleys, bridges, public highways and other public places of the Township of Bearinger. In the event that such removal is not effected within twenty-four (24) months after such surrender by the Company, the Township may, within a further period of three (3) months, require that all or any part of the remainder of such personal property be removed promptly by the Company, at the Company's expense. In the event of removal, the Company shall restore such streets, avenues, lanes, alleys, bridges, public highways and other public places so as to conform with the then current condition of same at the date of such restoration. Any such personal property not removed within twenty-seven (27) months after the surrender of the franchise, or the surrender of the right to continue serving customers actually being served on the date of the expiration or termination of the franchise, shall be deemed to have been abandoned in place, and the Company shall, upon request, provide the Township with an instrument transferring ownership of such personal property to the Township.

Section 2. This amendatory Ordinance, if, and only if, approved by the electors of the Township of Bearinger as re-

quired by law, shall replace and supersede Section 12 of that certain ordinance passed by the Township of Bearinger on June 8, 1992, and recorded in the Book of Ordinances as Township of Bearinger Ordinance No. 003, which said Ordinance No. 003 is repealed hereby.

Section 3. The balance of said Ordinance entitled "Gas Franchise Ordinance" is not affected by this amendatory Ordinance and remains in full force and effect.

Section 4. This amendatory Ordinance shall, subject to the requirement of elector approval applicable to Ordinances conferring an irrevocable franchise, take effect the day following the date of publication thereof, which publication shall be made within thirty (30) days after the date of adoption of this Ordinance by the Bearinger Township Board, provided, however, that when this Ordinance shall become effective the Township Clerk shall deliver to the Company a certified copy of the Ordinance accompanied by written evidence of publication and recording thereof, as required by law, and Aurora Gas Company shall file with the Township Clerk its written acceptance of the right and franchise granted under this amendatory Ordinance within twelve (12) months after the effective date of this amendatory Ordinance. Upon the filing of such acceptance, this amendatory Ordinance shall have the effect of a contract in accordance with the terms and provisions hereof between the Township of Bearinger and Aurora Gas Company and

their successors and assigns, respectively.

AN ORDINANCE to amend the Ordinance entitled "Gas Franchise Ordinance," which was adopted by the Township of North Allis, County of Presque Isle, State of Michigan, on June 9, 1992.

## THE TOWNSHIP OF NORTH ALLIS HEREBY ORDAINS:

Section 1. Section 12 of the Ordinance entitled "Gas Franchise Ordinance," which was adopted by the Township of North Allis, County of Presque Isle, State of Michigan, on June 9, 1992, is hereby amended to read as follows:

### Section 12.

The right and franchise granted in this Ordinance shall take effect as provided in Section 14 below, and continue in effect thereafter as an irrevocable franchise for a period of 30 years; provided, however, that this franchise may be surrendered by the Company to the Township at any time, at the will of the Company.

If this franchise expires, or is otherwise terminated, the Company may continue to serve any customers to whom or which the Company is actually providing service pursuant to this franchise on the date of its expiration or termination, and may continue to use and employ its personal property upon, in, over, and under the streets, avenues, lanes, alleys, bridges, public highways and other public places of the Township of North Allis for that purpose for a period, not to exceed 30 years, for so long as its continues to serve such existing cus-

tomers; provided, however, that if the Company surrenders its franchise or surrenders its right to continue serving its then existing customers on or after the date of the expiration or termination of this franchise, then, in that event, the Company may, at its own expense, remove its personal property from the streets, avenues, lanes, alleys, bridges, public highways and other public places of the Township of North Allis. In the event that such removal is not effected within twenty-four (24) months after such surrender by the Company, the Township may, within a further period of three (3) months, require that all or any part of the remainder of such personal property be removed promptly by the Company, at the Company's expense. In the event of removal, the Company shall restore such streets, avenues, lanes, alleys, bridges, public highways and other public places so as to conform with the then current condition of same at the date of such restoration. Any such personal property not removed within twenty-seven (27) months after the surrender of the franchise, or the surrender of the right to continue serving customers actually being served on the date of the expiration or termination of the franchise, shall be deemed to have been abandoned in place, and the Company shall, upon request, provide the Township with an instrument transferring ownership of such personal property to the Township.

Section 2. This amendatory Ordinance, if, and only if, ap-

proved by the electors of the Township of North Allis as required by law, shall replace and supersede Section 12 of that certain Ordinance passed by the Township of North Allis on June 9, 1992, and duly recorded in the Book of Ordinances of the Township of North Allis, Section 12 of which said Ordinance, as amended, is repealed hereby.

Section 3. The balance of said Ordinance entitled "Gas Franchise Ordinance" is not affected by this amendatory Ordinance and remains in full force and effect.

Section 4. This amendatory Ordinance shall, subject to the provisions of Michigan law requiring elector approval of Ordinances conferring an irrevocable franchise, take effect thirty (30) days after the date of publication thereof, which publication shall be within thirty (30) days after the North Allis Township Board has adopted this Ordinance amendment, and this Ordinance amendment shall continue in effect thereafter as provided in Section 12, as amended, above, provided, however, that Aurora Gas Company files with the Township Clerk its written acceptance of this amendatory Ordinance within six (6) months after the effective date of this amendatory Ordinance. Upon the filing of such acceptance, this amendatory Ordinance shall have the effect of a contract in accordance with the terms and provisions hereof between the Township of North Allis and Aurora Gas Company and their successors and assigns, respectively.