

**PROCEDURAL CHECKLIST**

Date of Passage of Ordinance: Monday, July 11, 1994

Members Voting Aye:

Members Voting Nay:

Thomas King

\_\_\_\_\_

Joan Larsen

\_\_\_\_\_

Beatrice Judson

Delor Wellman

Gary Boudreau

Date of Publication of the Ordinance: Thursday, July 21, 1994

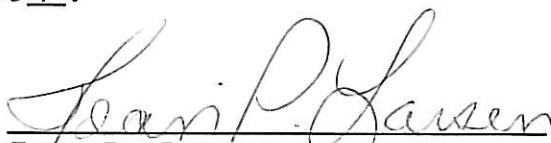
Newspaper In Which Publication Was Made: Escanaba Daily Press

Date Attested Copy Filed With County Clerk: Wednesday, July 27, 1994

STATE OF MICHIGAN     )  
                                  )    SS:             Ford River Township  
COUNTY OF DELTA     )                     3845 K Rd.  
   Bark River, MI 49807

I, the undersigned, being the duly elected, qualified and acting Clerk of the Township of Ford River, County of Delta, and State of Michigan, do hereby certify that the foregoing ordinance was duly adopted by the Township Board of the Township of Ford River as hereinabove set forth; and that said Ordinance was duly published on the date indicated above by the insertion of a true copy thereof in the Escanaba Daily Press, which is a duly qualified newspaper circulating within the Township of Ford River.

In Testimony Whereof, I have hereunto set my hand this 26th day of July, 1994.

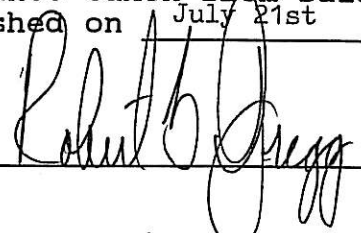


Joan P. Larsen  
Township Clerk

Proof of Publication

STATE OF MICHIGAN )  
 )  
COUNTY OF DELTA ) SS:

Robert Gregg, being first duly sworn, deposes and says that he/she is the Publisher of the The Daily Press, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and which is circulated within the Township of Ford River, County of Delta, State of Michigan, and that annexed hereto is a printed Ordinance taken from said newspaper, in which the same was published on July 21st, 1994.



Subscribed and sworn to before me this 22 day of July, 1994.

Lois A. Wertel  
Notary Public, A Resident of Delta County, Michigan

LOIS A. WERTEL, NOTARY PUBLIC  
DELTA COUNTY, STATE OF MICHIGAN  
MY COMMISSION EXPIRES 8-14-96

My Commission Expires: 8/14/96

**MICHIGAN CONSOLIDATED GAS COMPANY  
GAS FRANCHISE ORDINANCE  
ORDINANCE NO. 794**

AN ORDINANCE, granting to MICHIGAN CONSOLIDATED GAS COMPANY, its successors and assigns, the right, power, and authority to lay, maintain, and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas business in the TOWNSHIP OF FORD RIVER, DELTA COUNTY, MICHIGAN for a period of thirty years.

**THE TOWNSHIP OF FORD RIVER ORDAINS:**

**Section 1. Grant of Gas Franchise and Consent to Laying of Pipes.** Etc. Subject to all the terms and conditions mentioned in this ordinance, consent is hereby given to Michigan Consolidated Gas Company, a corporation organized under the laws of the State of Michigan, (the "Company"), and to its successors and assigns, to lay, maintain, operate, and use gas pipes, mains, conductors, service pipes, and other necessary equipment in the highways, streets, alleys, and other public places in the Township of Ford River, Delta County, Michigan, and a franchise is hereby granted to the Company, its successors and assigns, to transact local business in said Township of Ford River for the purpose of conveying gas into and through and supplying and selling gas in said Township of Ford River and all other matters incidental thereto.

**Section 2. Gas Service and Extension of System.** If the provisions and conditions herein contained are accepted by the Company, as in Section 6 hereof provided, then the Company shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations; and provided further that such initial installation and any extensions shall be subject to the Main Extension provisions, the Area Expansion Program provisions (if and where applicable), and other applicable provisions now or from time to time hereafter contained in the Company's Rules and Regulations for Gas Service as filed with the Michigan Public Service Commission or successor agency having similar jurisdiction.

**Section 3. Use of Streets and Other Public Places.** The Company, its successors and assigns, shall not unnecessarily obstruct the passage of the highways, streets, alleys, or other public places within said Township of Ford River and shall within a reasonable time after making an opening or excavation, repair the same and leave it in as good condition as before the opening or excavation was made. The Company, its successors and assigns, shall use due care in exercising the privileges herein contained and shall be liable to said Township of Ford River for all damages and costs which may be recovered against Township of Ford River arising from the default, carelessness, or negligence of the company or its officers, agents, and servants.

No road, street, alley, or highway shall be opened for the laying of trunk lines or lateral mains except upon application to the Highway Commissioner or the Township of Ford River or other authority having jurisdiction in the premises, stating the nature of the proposed work and the route. Upon receipt of such application, it shall be the duty of the Highway Commissioners or the Township Board, or such other authority as may have jurisdiction, to issue a permit to the Company to do the work proposed.

**Section 4. Standards and Conditions of Service; Rules, Regulations and Rates.** The Company is now under the jurisdiction of the Michigan Public Service Commission to the extent provided by statute; and the rates to be charged for gas, and the standards and conditions of service and operation hereunder, shall be the same as set forth in the Company's schedule of rules, regulations, and rates as applicable in the several cities, villages, and townships in which the Company is now rendering gas service, or as shall hereafter be validly prescribed for the Township of Ford River under the orders, rules, and regulations of the Michigan Public Service Commission or other authority having jurisdiction in the premises.

**Section 5. Successors and Assigns.** The words "Michigan Consolidated Gas Company" and "the Company", wherever used herein, are intended and shall be held and construed to mean and include both