

ORDINANCE 04-2007

AN ORDINANCE CONFIRMING THE SALE AND AWARDDING A GAS FRANCHISE TO ATMOS ENERGY CORPORATION, FOR A TERM OF FIVE (5) YEARS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A NATURAL GAS DISTRIBUTION SYSTEM ALONG AND UNDER PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF GRAND RIVERS, KENTUCKY, IN RETURN FOR WHICH FRANCHISEE SHALL PAY TO THE CITY A LUMP SUM OF TWO HUNDRED NINETY-EIGHT DOLLARS AND THIRTY-EIGHT CENTS (\$298.38).

WHEREAS, Ordinance 02-2007, adopted by Grand Rivers City Council, on the 8th day of May 2007, provided for the creation and sale of a franchise, for a term of five (5) years, for the privilege of constructing, operating, maintaining and distributing natural gas along and under public right-of-way within the corporate boundaries of the City of Grand Rivers in accordance with the terms and provisions of the Gas Franchise Agreement referenced below; and

WHEREAS, said ordinance established a sealed bid process which included advertising the invitation for bids, notifying the public of the date for the submission of bids to the City of Grand Rivers, and awarding the franchise to the successful bidder; and

WHEREAS, after publication of said advertisement on May 16, 2007, the only bid received by Grand Rivers was from Atmos Energy Corporation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GRAND RIVERS, KENTUCKY, AS FOLLOWS:

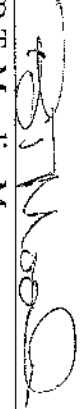
Section 1. That the gas franchise created by Ordinance 02-2007 be, and it hereby is, awarded to Atmos Energy Corporation who submitted the best responsive and responsible bid.

Section 2. That the Mayor shall be, and hereby is, authorized and directed to execute the Gas Franchise Agreement, a copy of which was attached to Ordinance 02-2007. This Ordinance becomes effective upon publication.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 10th day of July 2007.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 14th day of August 2007.

PUBLISHED, Livingston Ledger - August 29, 2007.


B.T. Moodie, Mayor

ATTEST:


Joe Dry, City Clerk

Certification

I, Joe Dry, do hereby certify that I am the duly appointed clerk of the City of Grand Rivers, Kentucky, that the foregoing Ordinance is a true and correct copy of an ordinance duly

adopted at a meeting of the City Council on August 14, 2007 that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is still in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this 14th day of August 2007.

Joe Dry, City Clerk