

ORDINANCE NO. 6

THE VILLAGE OF GRANT ORDAINS:

Section 1. 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, 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 Village of Grant, Newaygo County, Michigan, and a franchise is hereby granted to Michigan Consolidated Gas Company, its successors and assigns, to transact a local business in said Village of Grant, for the purpose of conveying gas into and through, and supplying and selling gas in said Village and all other matters incidental thereto.

Section 2. If the provisions and conditions herein contained are accepted by the Company, as in Section 6 hereof provided, then Michigan Consolidated Gas Company shall, subject to receiving the necessary regulatory approval as required by law, within a reasonable time thereafter commence the installation of a gas distribution system in such of the streets, roads, alleys and highways as are indicated upon the map heretofore filed by the Company in the office of the Village Clerk, and shall proceed to complete the same as soon thereafter as reasonably practicable; provided, however that the Company shall not be held responsible for delays due to weather or labor conditions, inability to procure necessary materials, or other causes beyond its control; and provided further, that such initial installation and all extensions shall be subject to the Main Extension provisions contained in the Company's Rules and Regulations for Gas Service as approved by the Michigan Public Service Commission.

Section 3. Michigan Consolidated Gas Company, its successors and assigns, shall not unnecessarily obstruct the passage of any of the highways, streets, alleys or other public places within said Village 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 Village for all damages and costs which may be recovered against said Village 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 Village Council, 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 Village Council, or such other authority as may have jurisdiction, to issue a permit to the Company to do the work proposed.

Section 4. 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 those now or that in the future shall be validly in effect under the orders, rules and regulations of the Michigan Public Service Commission or other authority having jurisdiction in the premises, as applicable to the Company in the City of Muskegon.

Section 5. 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 Michigan Consolidated Gas Company and its successors and assigns, whether so expressed or not.

Section 6. This ordinance shall take effect immediately after the date of publication thereof, which shall be within one (1) week of the date of its passage, and shall continue in effect for a period of thirty (30) years thereafter, subject to revocation at the will of the Village at any time during said thirty (30) year period; provided, however, that when this ordinance shall become effective the Village 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 that Michigan Consolidated Gas Company shall, within sixty (60) days after the date of the adoption of this ordinance, file with the Village Clerk its written acceptance of the conditions and provisions hereof; and further provided, that, if the Company shall for any reason cease to supply gas in the City of Muskegon, it shall be under no obligation to thereafter supply gas in the Village of Grant.