

ORDINANCE NO. 102

THE TOWNSHIP OF LITTLEFIELD 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 Township of Littlefield, Emmet County, Michigan, and a franchise is hereby granted to Michigan Consolidated Gas Company, its successors and assigns, to transact a local business in said Township of Littlefield, for the purpose of conveying gas into and through, and supplying and selling gas in said Township 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 commence gas service under and pursuant to its Rules and Regulations for Gas Service hereinafter mentioned to those persons desiring such service and whose premises are located sufficiently near the Company's existing 6" Conway distribution main situated in the Township of Little Traverse as will justify an extension thereof under the Main Extension provisions contained in the Company's Rules and Regulations for Gas Service as approved by the Michigan Public Service Commission; and provided further that the Company will from

time to time extend gas service in the Township of Littlefield in accordance with such Main Extension provisions of the Company's said Rules and Regulations.

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 Township 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 for all damages and costs which may be recovered against said Township 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 Township Board, 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 Commissioner 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. 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 now set forth in the Company's Schedule of Rules, Regulations and Rates as applicable in the City of Petoskey, or that shall hereafter be validly prescribed for the Township of Littlefield under the orders, rules and regulations of the Michigan Public Service Commission or other authority having jurisdiction in the premises.

Section 5. The words "Michigan Consolidated Gas 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 thirty (30) days after the date of its adoption, and shall continue in effect for a period of thirty (30) years thereafter, subject to revocation at the will of the Township at any time during said thirty (30) year period; 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 that Michigan Consolidated Gas Company shall, within sixty (60) days after the date of the adoption of this ordinance, file with the Township Clerk its written acceptance of the conditions and provisions hereof.

STATE OF MICHIGAN)
)
COUNTY OF EMMET) ss.
)
TOWNSHIP OF LITTLEFIELD)

I, the undersigned, being the duly elected, qualified and acting Clerk of the Township of Littlefield, County of Emmet and State of Michigan, do hereby certify that the attached Ordinance No. 102 is a true and correct copy of the Ordinance adopted by the Township of Littlefield at a meeting of the Township Board legally called and held on the 1 day of November, 1977.

I further certify that a true and correct copy of said Ordinance No. 102 was published according to law in the Petoskey News Review, a newspaper of general circulation in the Township of Littlefield on the 3 day of November, 1977.

I do further certify that said Ordinance No. 102 was duly recorded in the Book of Guidelines kept by the Township Clerk within one (1) week after the publication thereof as aforesaid, together with the date of passage thereof, names of members voting thereon and how each member voted. That also entered in said Book of Ordinances, under Ordinance No. 102, is a certificate signed by the Township Clerk stating the date of publication of said Ordinance and the name of the newspaper in which such publication was made and the date of filing with the County Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the seal of said Township of Littlefield, this
3 day of November, 1971.

Avis D. Granger
Clerk of the Township
of Littlefield

(S E A L)

Board members present were Russeell England, Yes, James Burley, Yes
Avis Granger, Yes Wayne Meyer Yes.
Absent Albert Honeysette

Vote carried by 4 yes votes Nays None