

ORDINANCE NO. 10-00
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham ON THE
21st DAY OF August, 2000.

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5-00, AN ORDINANCE GRANTING TO THE DAYTON POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, A GAS FRANCHISE IN THE CITY OF CENTERVILLE, STATE OF OHIO, FOR A PERIOD OF FIVE (5) YEARS, AUTOMATICALLY RENEWING FOR ADDITIONAL PERIODS OF FIVE (5) YEARS UNLESS NOTICE IS GIVEN, COMMENCING ON THE EFFECTIVE DATE OF THIS ORDINANCE.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS THAT:

Section 1. Section 1 of Ordinance Number 5-00 be amended as follows with the bracketed portion deleted:

Section 1. Subject to the terms and conditions hereof, The Dayton Power and Light Company ("the Company"), its successors and assigns, is granted the right and privilege for the period of five (5) years, commencing on the effective date of this ordinance, to do, carry on and transact in the City of Centerville ("the City") including any area annexed thereto, the business of supplying natural gas to the City and its inhabitants for the purposes for which natural gas is now or may hereafter be used, and to that end to enter upon and in, use and occupy the streets, alleys, avenues, public places and ways of the City to install, maintain and operate all necessary and proper lines, equipment and devices for carrying on its business pursuant to the terms and conditions listed herein. [The City hereby reserves the right to amend or abolish this right to enter upon and in, use and occupy the streets, alleys, avenues, public places and ways of the City at any time by the passing of a subsequent ordinance.] The rights granted to the Company pursuant to this Ordinance shall automatically renew for successive five (5) year periods, unless two year notice is given by either party. This grant shall apply to all such lines, equipment and devices used or useful for the aforesaid purposes, which are now owned by the Company in said City, and to such as hereafter may be installed, placed or erected by the Company.

Section 2. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED this 21st day of August, 2000.

Sally D. Bials
Mayor of the City of Centerville, Ohio

ATTEST:

Marie J. Saughlin
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance Number 10-00, passed by the Council of the City of Centerville, Ohio, on the 21st day of August, 2000.

Marie J. Saughlin
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney