

CONSUMERS POWER COMPANY ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

THE VILLAGE OF CAMDEN ORDAINS:

SECTION 1. GRANT, TERM. The VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, hereby grants the right, power and authority to the CONSUMERS POWER COMPANY, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances, for the purpose of transmitting, transforming and distributing electricity on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge, waterways, or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair and shall be restored to the same good order and condition as when such work was commenced. All towers, masts, poles and other supports shall be set and all wires shall be suspended or buried in a careful and proper manner so as not to injure persons or property. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the highway authorities of the Village.

SECTION 4. HOLD HARMLESS. The Grantee shall at all times keep and save the Village free and harmless from all loss, costs and expense to which it may become subject by reason of the construction, maintenance and operation of the structures and equipment hereby authorized. In case any action is commenced against the Village on account of the permission herein granted, said Grantee shall, upon notice, defend the Village and save it free and harmless from all loss, cost and damage arising out of said permission. Providing further, that this hold harmless agreement shall not apply to any loss, cost, damage or claims arising solely out of the negligence of the Village, its employees or its contractors. Furthermore, in the event that any loss, cost, damage or claims arise out of the joint negligence of the Village, its employees or its contractors, this hold harmless agreement shall not apply to the proportional extent of the negligence of the Village, its employees or its contractors.

SECTION 5. RATES. Said Grantee shall be entitled to charge the inhabitants of said Village for electric energy furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate electric rates and

rules regulating such service in said Village, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said Village, acting by its Village Council, or by said Grantee.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive.

SECTION 7. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

SECTION 8. MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to electric service in said Village.

SECTION 9. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of an electric ordinance adopted by the Village Council on July 13, 1965 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, wires, transformers and other electrical appliances on, along and across the highways, streets, alleys, bridges, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years, and repealing the ordinance adopted by the Village Council of said Village on June 29, 1936, whereby an electric franchise was granted to Consumers Power Company, its successors and assigns.

and amendments, if any, to such ordinance whereby an electric franchise was granted to Consumers Power Company.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof, provided, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Village Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Village and said Grantee.

We hereby certify that the foregoing ordinance was duly enacted by the Village Council of the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, on the 12th day of SEPTEMBER, 1995.

Paul L. Marks
Village President

Attest:

Joan Matthees
Village Clerk

ACCEPTANCE

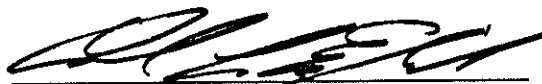
The CONSUMERS POWER COMPANY does hereby accept the terms of the ordinance adopted on the 12 day of SEPTEMBER, 1995, by the Village Council of the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, which said ordinance is entitled as follows:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

IN WITNESS WHEREOF, said CONSUMERS POWER COMPANY has caused this acceptance to be executed by its duly authorized officer this 12 day of SEPTEMBER, 1995.

CONSUMERS POWER COMPANY

By



Carl L. English, Vice President
Electric Distribution

Village Council member RANDY DRAKE moved that the Ordinance as introduced be adopted for a period of thirty (30) years.

Said motion was supported by Village Council member JERRY BAILEY.

The following was the vote upon the adoption of such ordinance:

Yes: President SARAH MARKS and Village Council members

RANDY DRAKE, JERRY BAILEY, MARY MANN, RAY ROBERTS, AND WALTER SHIFFLER

No: NONE

The President declared the motion carried.

The President declared the foregoing attached Franchise Ordinance adopted.

STATE OF MICHIGAN)

:SS

County of Hillsdale)

PUBLIC NOTICE
ORDINANCE NO. 1995-4

CONSUMERS POWER COMPANY ELECTRIC FRANCHISE ORDINANCE

grantee to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, and distribution wires, transformers and other electrical appliances on, under, along and across the highways, bridges, waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

TERMS. The VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, hereby grants the right, power and authority to CONSUMERS POWER COMPANY, its successors and assigns, hereinafter called the Grantee, to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, and distribution wires, transformers and other electrical appliances, for the purpose of transmitting and distributing electricity on, under, along and across the highways, streets, alleys, bridges waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

PROVISIONS. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully observe the terms hereof. No highway, street, alley, bridge, waterways, or other public place used by said Grantee shall be damaged or destroyed during the work of construction or repair and shall be restored to the same good order and condition as when such work was commenced. All towers, masts, poles and other supports shall be set and all wires shall be strung in a careful and proper manner so as not to injure persons or property. The Grantee shall have the right to do a local electric business in the Village of Camden, Hillsdale County, Michigan, for a period of thirty years, subject, however, to the supervision of the highway authorities of the State of Michigan.

HARMLESS. The Grantee shall at all times keep and save the Village free and harmless from all loss, costs and expenses it may become subject by reason of the construction, maintenance and operation of the structures and facilities authorized. In case any action is commenced against the Village on account of the permission herein granted, the Grantee shall, on notice, defend the Village and save it free and harmless from all loss, cost and damage arising out of or in connection with such action, including further, that this hold harmless agreement shall not apply to any loss, cost, damage or claims arising out of the negligence of the Village, its employees or its contractors. Furthermore, in the event that any loss, cost, damage or expense is incurred by the Village, its employees or its contractors, this hold harmless agreement shall not be binding on the Village, its employees or its contractors.

REGULATION. Said Grantee shall be entitled to charge the inhabitants of said Village for electric energy furnished therein, and the rates and rules regulating such service in said Village, are hereby granted for the term of three years and shall be subject to review and change at any time upon petition therefor being made by the Village Council, or by said Grantee.

NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive. This franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice to the Village Council.

PUBLIC SERVICE COMMISSION JURISDICTION. Said Grantee shall, as to all other conditions and terms herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission, or its successors, applicable to electric service in said Village.

REPEAL. This ordinance, when accepted and published as herein provided, shall repeal and supersede the ordinance adopted by the Village Council on July 13, 1965 entitled:

Ordinance No. 1965-1, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, and other electrical appliances on, along and across the highways, streets, alleys, bridges, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years, as provided in the ordinance adopted by the Village Council of said Village on June 29, 1936, whereby an electric franchise was granted to Consumers Power Company, its successors and assigns.

EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof, provided, it does not take effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing before the Village Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between the Village of Camden, Hillsdale County, Michigan, and the Grantee.

WITNESSETH that the foregoing ordinance was duly enacted by the Village Council of the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, on the 12th day of September, 1995.

Judy Gabriele being first duly sworn, says that she is the advertising manager of the Hillsdale Daily News, a newspaper published in the English language for the dissemination of local or trans-mitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published on the following dates, to wit:

September 20, 1995


(Advertising Manager)

Subscribed and sworn to before me this

20th day of September

A.D. 19 95


Notary Public for Hillsdale County

My Commission Expires 1-7-96

CLERK CERTIFICATION

STATE OF MICHIGAN)
 : ss.
COUNTY OF HILLSDALE)

I, JOAN MATTHEWS, Village Clerk of the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, DO HEREBY CERTIFY that the annexed is a true and correct copy of all of the proceedings of the Village Council of said Village, with reference to the granting of a franchise to CONSUMERS POWER COMPANY.

I FURTHER CERTIFY that the within acceptance was filed with me as Village Clerk, on the 12TH day of SEPTEMBER, 1995; that I have compared the within copies with the original records in my office, and that the same are true and correct transcripts therefrom.

I FURTHER CERTIFY that a copy of the foregoing ordinance was published as appears by proof thereof on file in my office in Hillsdale Daily News, a newspaper circulated in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, on the 20TH day of SEPTEMBER, 1995; and that all of said proceedings were regular and in accordance with all legal requirements.



Village Clerk

Dated: SEPT. 20, 1995.

NOTICE OF FILING OF PROPOSED GAS AND/OR ELECTRIC
FRANCHISE ORDINANCE FOR PUBLIC INSPECTION

NOTICE IS HEREBY GIVEN of filing for public inspection in the office of the Village Clerk of a proposed ordinance entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

and that said ordinance may be inspected during the regular business hours of said office.



Village Clerk

By Order of the Village Council

Date: Sept. 20, 1995.

DATE
10/23/95

THE HILLSDALE DAILY NEWS

SEQUENCE NO.
205016

PURCHASE ORDER NUMBER	INVOICE NUMBER	INVOICE DATE	GROSS AMOUNT	ADJUSTMENT AMOUNT	CODE	NET AMOUNT
CK16-0438			15170			15170
VILLAGE OF CAMDEN 9-20-95, CONSUMERS POWER						
PAYMENT INQUIRIES - CALL ACCOUNTS PAYABLE 517-788-2176 *****						
<i>Pat Smel 616-3372202</i>						

ADJUSTMENT CODE: D - DISCOUNT, E - EXTENSION ERROR, F - FREIGHT, P - PRICE, Q - QUANTITY VARIANCE, R - RETAINER, T - SALES TAX, X - OTHER

TOTAL \$ 15170



Consumers Power
POWERING MICHIGAN'S PROGRESS
JACKSON, MICHIGAN

No. 239837

NOT VALID AFTER THREE MONTHS FROM DATE

74-478
.724

CHECK DATE
10/23/95

SEQ. NO.
205016

PAY THIS AMOUNT
*****151.70

TO THE ORDER OF

THE HILLSDALE DAILY NEWS
**

NOT VALID OVER *****151.70

COMERICA BANK
ANN ARBOR, MICHIGAN

CONSUMERS POWER COMPANY
SPECIAL ACCOUNT

[Signature]
AUTHORIZED SIGNATURE

⑈ 239837⑈ ⑆ 072404786⑆ 2176950000⑈

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND NOT A WHITE BACKGROUND

THIS DOCUMENT CONTAINS AN INTEGRAL MICR LINE. HOLD FAST TO IT.

ACCEPTANCE

The CONSUMERS POWER COMPANY does hereby accept the terms of the ordinance adopted on the 12 day of SEPTEMBER, 1995, by the Village Council of the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, which said ordinance is entitled as follows:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, for a period of thirty years.

IN WITNESS WHEREOF, said CONSUMERS POWER COMPANY has caused this acceptance to be executed by its duly authorized officer this 12 day of SEPTEMBER, 1995.

CONSUMERS POWER COMPANY

By



Carl L. English, Vice President
Electric Distribution

ADVERTISING INVOICE

1 FROM	3 CYCLE	4 INVOICE NO.	4 BILLING DATE
	01	014438	09/30/95

1 FROM
THE HILLSDALE DAILY NEWS
 33 McCollum St. P.O. Box 287
 Hillsdale, MI 49242-0287
 (517) 437-7351

5 BILLING PERIOD	6 TERMS OF PAYMENT
09/01/95 TO 09/30/95	NET 10 DAYS

2 BILLED ACCOUNT
 CAMDEN. VILLAGE OF
 PO BOX 177
 CAMDEN MI 49232

7 SALES PERSON	8 BILLED/ACCOUNT NO.	8 ADVERTISER/CLIENT
06	1033	
9 NAME OF ADVERTISER/CLIENT		
CAMDEN. VILLAGE OF		

PAGE 1

10	11	12	13	14	15	16	17	18	19	20	21
DATE	REF.	CHARGES OR CREDITS DESCRIPTION/PRODUCT CODE			SAU/ DIMENSIONS	TIMES	BILLED UNITS	RATE	GROSS AMOUNT	NET AMOUNT	
		BALANCE FORWARD									.00
09/20/95		Display Advertising: CONSUMERS POWER			3X 6.50		19.50		122.79	122.79	
09/30/95	28-30	Classified Word Ads: THERE WILL BE A SPEC				3	147.00		28.91	28.91	
CURRENT TOTALS							166.50		151.70	151.70	

24 AGING			25 TOTAL NET AMOUNT DUE
31-60	61-90	91-OVER	
.00	.00	.00	151.70

21 CURRENT GROSS AMOUNT	22 CURRENT NET AMOUNT
151.70	151.70

▼ DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT PLEASE INCLUDE YOUR ACCOUNT NO. ON YOUR CHECK.

Total due is in box 25. Questions? Call us. Thank You!

26 SALES PERSON	26 BILLED ACCOUNT NO.
06	1033

27 BILLED ACCOUNT NAME
CAMDEN. VILLAGE OF

AMOUNT ENCLOSED

09/30/95

REMITTANCE ADVICE

DUE 151.70

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

28 REMIT TO
THE HILLSDALE DAILY NEWS
 33 McCollum St. P.O. Box 287
 Hillsdale, MI 49242-0287
 PHONE (517) 437-7351

ALL AMOUNTS SHALL BE DUE AND PAYABLE IN HILLSDALE, MICHIGAN WITHIN 10 DAYS OF BILLING DATE. ALL PAST DUE AMOUNTS SHALL ACCRUE INTEREST AT RATE OF EIGHTEEN (18%) PERCENT PER ANNUM.

29 CONTRACT PERFORMANCE
EXPIRATION DATE
REQUIREMENT
CURRENT MONTH
CUMULATIVE