

AN ORDINANCE APPROVING AND AUTHORIZING TRANSFER AND ASSIGNMENT OF THE RIGHT, PRIVILEGE, AND AUTHORITY TO CONSTRUCT, OPERATE, AND MAINTAIN A GAS SUPPLY AND DISTRIBUTION SYSTEM IN THE VILLAGE OF GIFFORD, COUNTY OF CHAMPAIGN, AND STATE OF ILLINOIS, FROM PAUL'S PROPANE GAS TO C. W. HICKS, D/B/A HICKSGAS GIFFORD.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GIFFORD, COUNTY OF CHAMPAIGN, AND STATE OF ILLINOIS:

WHEREAS, on, to-wit, October 4, 1962, an Ordinance authorizing Paul's Propane Gas, its successors and assigns, to construct, operate, and maintain a gas supply and distribution system in the Village of Gifford, County of Champaign, and State of Illinois, was passed by the Board of Trustees of the Village of Gifford, at a duly constituted meeting of the said Board of Trustees, the said ordinance being in words and figures as set out in the Verifax copy hereto attached and made a part hereof;

AND WHEREAS, Paul's Propane Gas has sold and assigned all of its right, title, and interest in and to the said franchise and authority to it granted under and by virtue of the said Ordinance No. 52 to C. W. Hicks, of Roberts, Illinois; d/b/a Hicksgas Gifford;

AND WHEREAS, it is deemed that the said C. W. Hicks is a fit and suitable person to carry out the terms of the said franchise, right, privilege, and authority heretofore granted to Paul's Propane Gas, as aforesaid;

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. That the said Board of Trustees of the Village of Gifford hereby approve and authorize the sale and transfer of the said franchise, right, privilege, and authority to the said C. W. Hicks, in full purport of the franchise, right, privilege, and authority given to Paul's Propane Gas, under Ordinance No. 52, aforesaid.

Section 2. Further ordained that the said C. W. Hicks shall comply fully and in all particulars with the provisions of the franchise, privilege, right, and authority granted to the said Paul's Propane Gas, and that he be charged with all the obligations and duties, and he shall have all the privileges therein enumerated, the said provisions of the said Ordinance No. 52 to be obligatory upon him and upon his successors and assigns, and the benefits therefrom accruing shall inure to the benefit of the said C. W. Hicks and to his successors and assigns.

Section 3. Further ordained that the rights, privileges, and authority granted by this Ordinance shall remain in full force and effect until October 4, 1982.

Section 4. No right, privilege, or authority given or granted by approval of this Ordinance shall become effective until there shall have been filed with the Village Clerk of the said Village of Gifford the written acceptance of the said Ordinance by the said C. W. Hicks, which said acceptance shall be filed with the said Village Clerk within a period of thirty (30) days from the date of the passage of this Ordinance, and when so filed, shall, together with the making of the semi-annual customers service meters payments and the operation by the said C. W. Hicks or his successors and assigns, under the terms of this Ordinance, constitute full consideration for the rights, privileges, and authority hereby granted.

Section 5. The said C. W. Hicks shall, as a condition precedent to the validity of this Ordinance, obtain approval of his contract to purchase the rights to him insuring under Ordinance No. 52, aforesaid, from the Illinois Commerce Commission, as under the laws of the State of Illinois in such cases made and provided, and he shall obtain approval from time to time from the Commerce Commission of the State of Illinois, or such other duly constituted governmental authority as shall have jurisdiction thereof, of the charges to be made by him for public services by him to be rendered under the terms of this Ordinance.

Section 6. The said C. W. Hicks shall at all times have on file with the Village Clerk of the Village of Gifford a certificate of insurance issued by an insurance company acceptable to the Village of Gifford, insuring the liability of the said C. W. Hicks, in adequate coverage, for injuries which may result to persons and damage to property arising from the construction, maintenance, and operation of the said gas supply and distribution system in the said Village of Gifford.

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval, and the recording thereof in the office of the County Recorder of Champaign County, Illinois.

VILLAGE OF GIFFORD

Ray S. Barnes

PASSED: April 4, 1963

APPROVED: April 4, 1963

RECORDED: _____

ATTENT:

William J. [Signature]
Village Clerk

C. W. Hicks, assignee of the rights and privileges granted by Ordinance No. 52 of the Village of Gifford, Illinois, passed on October 4, 1962, and on that date approved, and entitled, "An Ordinance authorizing PAUL'S PROPANE GAS, its successors and assigns, To Construct, operate and maintain a gas supply and distribution system in the Village of Gifford, County of Champaign and State of Illinois", and grantee under the terms of the approval of the assignment of the said rights and privileges, to him under and by virtue of the provisions of Ordinance No. 5th of the Village of Gifford, Illinois, passed on the 4th day of April, 1963, and approved the 4th day of April, 1963, and entitled, "An Ordinance approving and authorizing transfer and assignment of the right, privilege, and authority to construct, operate and maintain a gas supply and distribution system in the Village of Gifford, County of Champaign, and State of Illinois, from PAUL'S PROPANE GAS to C. W. HICKS", hereby accepts both of the said Ordinances and all of the provisions thereof.

IN WITNESS WHEREOF, C. W. Hicks, assignee as aforesaid, has signed this Acceptance this 11th day of April, 1963.



The above Acceptance received and filed in the office of the Village Clerk of said Village of Gifford, Illinois, this 11th day of April, 1963.



Village Clerk