

LEGAL NOTICE
TOWN OF VIENNA, VIRGINIA

Notice is hereby given that pursuant to an ordinance adopted by the Council of the Town of Vienna, Virginia on Monday, April 2, 1984, bids will be received for the franchise privileges and rights proposed to be granted by such ordinance, such bids to be presented to the presiding officer of the Council of the Town of Vienna at a regular meeting of such Council to be held in the Council Chamber on the 7th day of May, 1984, at 8 o'clock P.M. After the receipt and opening of such bids, the Council will proceed with the consideration of the granting of such franchise in the manner prescribed by law.

All bids must be in writing and the successful bidder shall pay all costs for advertising the franchise in addition to the sum bid by it. The right is hereby expressly reserved to reject any and all bids. The proposed franchise ordinance is as follows:

AN ORDINANCE asking bids to be submitted for a franchise to use and occupy the streets, alleys and other public grounds of the Town of Vienna as the same now exist or may hereafter be laid out for the construction, maintenance and operation therein of a system of pipes, mains, manholes, connections, meters and other equipment and appliances necessary or convenient for the transmission, distribution and sale of gas in the Town of Vienna; and fixing the time for the reception by the Town Council of bids.

BE IT ORDAINED BY THE TOWN COUNCIL OF VIENNA, VIRGINIA:

That bids in writing be received by the presiding officer of the Council at a meeting thereof, in open session, to be held on the 7th day of May, 1984, at 8 o'clock P.M., for a franchise to use and occupy the streets, alleys and other public grounds of the Town as the same now exist or may hereafter be

laid out, for construction, maintenance and operation therein of a system of pipes, mains, manholes, connections, meters, and other equipment and appliances necessary or convenient for the transmission, distribution and sale of gas, for the purpose of supplying gas in the Town of Vienna.

The Council reserves the right to reject any and all bids. The person or corporation to whom the grant is finally made, if any, shall reimburse the Town for the cost of advertising this ordinance as required by law.

The form of the franchise for which bids are hereby requested, shall be substantially as follows:

AN ORDINANCE granting to a franchise to use and occupy the streets, alleys and other public grounds of the Town of Vienna as the same now exist or may hereafter be laid out for the construction, maintenance and operation of a system of pipes, mains, manholes, connections, meters and other equipment and appliances necessary or convenient for the transmission, distribution and sale of gas in the Town of Vienna.

BE IT ORDAINED by the Town Council of the Town of Vienna, Virginia:

Section 1. A franchise be, and the same is hereby, granted to Washington Gas Light Co., a corporation organized and existing under the laws of the United States of America and a duly qualified corporation of the Commonwealth of Virginia, its successors and assigns (hereinafter generally referred to as grantee), for a fee in the amount of \$ 1,000⁰⁰ to use and occupy the streets, alleys, and other public grounds in the Town of Vienna, Virginia, as now existing or hereafter extended, for the construction, maintenance and operation therein of a system of pipes, mains, manholes, connections, meters and other equipment and appliances necessary or convenient for the transmission, distribution and sale of gas in and to any part of the Town of Vienna.

Section 2. The materials to be used and the manner of construction to be followed under this franchise shall be such as are commonly used and followed by similar grantees doing a similar business in towns of substantially the size of the Town of Vienna. The location and laying of all pipes or mains, the placing of manholes and conduits, and the location of any other permanent equipment or appliances of any kind under this franchise shall be subject to the approval of the Town Council or such committee or town official as the Town Council may from time to time designate, and when plans showing the location or relocation of pipes, mains, manholes, connections, meters or other equipment or appliances have been submitted to and approved by said Town Council or such designated committee or official, they shall be effective and binding to the same extent as if they were set out fully and at length in this ordinance; provided, however, that all work done under this ordinance shall be done in such manner as not to interfere unreasonably with the free and proper use of the street, alleys and other public grounds while the said work is in progress, or unnecessarily to obstruct the travel thereon, and when the streets, alleys and other public grounds are used for any underground construction the surface thereof shall be restored within a reasonable time from completion of the work to the same condition as existed prior to such construction.

Section 3. The work to be done under this ordinance shall be done in such a manner as not to damage any other underground construction of any other public service corporation holding a franchise from the Town or any construction performed by the Town itself, or by the State Highway Department, or unnecessarily to interfere with the making of connection by the Town or by the citizens thereof with water or sewerage pipes which may now or hereafter be laid or constructed by the Town or by any other public service corporation holding a franchise from the Town.

Section 4. Whenever any of the pipes, mains, manholes, or other structures of the grantee shall prove to be in the way of public street improvements or sidewalks, actually being constructed in the Town, whether such improvements be new or in the nature of changing any location of or repairing existing streets, sidewalks, alleys or public grounds the Town Council may require the grantee at its cost to move so much of its works on the streets, sidewalks, alleys, or other public grounds in the Town as may impede the progress of such improvements, and upon the failure of the grantee so to do, the Town Council may, after ten days' notice in writing to the grantee, itself make such necessary changes in the works of the grantee at the cost and expense of the grantee.

Section 5. By accepting this ordinance and franchise, the grantee, its successors and assigns, hereby agree to indemnify and save harmless the Town of Vienna, Virginia, as a municipal corporation, from all loss, cost and expense to which the Town may be subjected for any damage or destruction that may be done to or suffered by anyone in person or property for which the Town of Vienna may be held liable by reason of any work to be done or the proper maintenance thereof under this franchise.

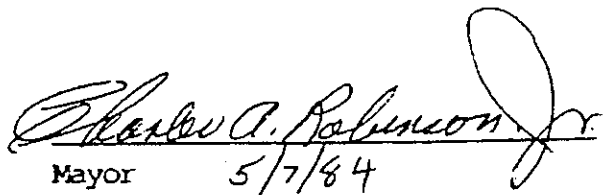
Section 6. The grantee, its successors and assigns, shall, at its own proper cost, promptly replace, relay repair and restore as nearly as possible to its original condition all streets, sidewalks, water mains, or sewers disturbed or damaged in the construction of the work authorized to be done by this franchise; and, upon failure to do so, after ten days' notice in writing shall have been given by the Town Council or any duly authorized officer of the Town, the Town Council may replace, relay, repair or restore such portion of the streets, sidewalks, water mains or sewers as may be so damaged or disturbed and collect the cost so incurred from the grantee, its successors and assigns.

Section 7. This franchise is granted under the express condition that the grantee shall maintain a proper system for the transmission, distribution and sale of gas in the Town of Vienna, Virginia, subject to the jurisdiction of the State Corporation Commission of Virginia.

Section 8. This franchise and the rights and privileges hereby granted and conferred shall not become effective unless and until the grantee shall file with the Clerk of the Town Council of the Town of Vienna, Virginia, its written acceptance thereof and shall have entered into a bond in favor of the Town of Vienna, Virginia, in the sum of \$10,000.00, with surety approved by the Mayor, conditioned upon the constructing and putting into operation and maintaining the plant provided for in this franchise.

Section 9. The privileges hereby granted shall continue for a period of twenty years from the date of the approval of this ordinance.

Approved this 7th day of May, 1984.


Mayor 5/7/84

Attest:


Town Clerk