

MUNICIPAL DISTRICT OF BRAZEAU NO. 77

BY-LAW NO. 48-89

BEING A BY-LAW OF THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77 TO ENTER INTO AN AGREEMENT WITH AND TO CONFER A SPECIAL FRANCHISE ON TRANSALTA UTILITIES CORPORATION TO SUPPLY ELECTRIC POWER TO CUSTOMERS WITHIN THE HAMLET OF LODGEPOLE.

WHEREAS the then New Town of Lodgepole did, by an agreement (hereinafter referred to as the "Franchise") dated the 23rd day of August, 1957, grant to Calgary Power Ltd., a franchise to distribute electric energy to the New Town and its residents for a period of twenty (20) years, subject to the right of renewal as in the said agreement; and

WHEREAS the said franchise was altered and amended by agreement dated January 20, 1961; and

WHEREAS upon the New Town of Lodgepole being established as a Hamlet, The County of Parkland No. 31 acquired all the rights, title and interest of the Hamlet of Lodgepole in and to the said franchise; and

WHEREAS the said franchise was altered and renewed for a period of ten (10) years by an agreement between the County of Parkland No. 31 and Calgary Power Ltd. dated the 24th day of November, 1977; and

WHEREAS the Municipal District of Brazeau No. 77 acquired all the rights, title and interest of the Hamlet of Lodgepole in and to the said franchise; and

WHEREAS the Municipal District of Brazeau No. 77 and TransAlta Utilities Corporation (formerly Calgary Power Ltd.) have agreed to renew the said franchise for a further period of ten (10) years pursuant to the Municipal Government Act, R.S.A. 1980, Chapter M-26, as amended, in the form annexed hereto; and

WHEREAS it is deemed that such an agreement would be of benefit to customers within the Hamlet of Lodgepole.

NOW THEREFORE the Municipal Council of the Municipal District of Brazeau No. 77 in Council assembled enacts as follows:

1. That the Electric Franchise Renewal Agreement, a copy of which is annexed hereto as Schedule "A", be and the same is hereby ratified, confirmed and approved, and the Reeve and Municipal Manager of the Municipal District of Brazeau No. 77 are hereby authorized to enter into the Electric Franchise Renewal Agreement for and on behalf of the Hamlet, and the Municipal Manager is hereby authorized to affix thereto the corporate seal of the Municipality.
2. That the Electric Franchise Renewal Agreement, annexed hereto as Schedule "A", is hereby incorporated in, and made part of, this By-Law.
3. That this By-Law shall come into force upon the agreement being approved by the Public Utilities Board for the Province of Alberta, and upon being given third reading and finally passed.

READ A FIRST TIME this 10th day of April A.D., 1989

READ A SECOND TIME this 23rd day of August A.D., 1989

READ A THIRD TIME this 23 day of August A.D., 1989
and finally passed.


Reeve


Municipal Manager

SCHEDULE "A"

This is Schedule "A" referred to in the attached By-Law No. 48-89 of the Municipal District of Brazeau No. 77.

ELECTRIC FRANCHISE RENEWAL AGREEMENT

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EXECUTION