

RESOLUTION NO. \_\_\_\_\_-2013

A RESOLUTION ACCEPTING THE BID OF CLARK ENERGY COOPERATIVE, INC., IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 35-2013, CREATING AND OFFERING FOR SALE A FRANCHISE FOR THE OPERATION OF A NON-EXCLUSIVE ELECTRIC GENERATION, TRANSMISSION AND DISTRIBUTION SYSTEM IN FAYETTE COUNTY, AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A FRANCHISE AGREEMENT WITH CLARK ENERGY COOPERATIVE, INC., INCORPORATING THE TERMS AND CONDITIONS OF ORDINANCE NO. 35-2013.

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BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the bid of Clark Energy Cooperative, Inc., submitted in accordance with the provisions of Lexington-Fayette Urban County Government Ordinance No. 35-2013, creating and offering for sale a franchise for the operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, a copy of which is attached to the Franchise Agreement as Exhibit "A", is hereby declared to be a highest and best bidder for said franchise; and said franchise is hereby sold to and vested in Clark Energy Cooperative, Inc., for the period of time provided in the ordinance and franchise agreement.

Section 2 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute the Franchise Agreement with Clark Energy Cooperative, Inc., which is attached hereto and incorporated herein by reference, and which agreement incorporates by reference in its entirety the material provisions of Lexington-Fayette Urban County Government Ordinance No. 35-2013.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL