

ORDINANCE NO. 1086

AN ORDINANCE TO AUTHORIZE THE CHANGE OF NAME FOR THE PERMIT CONVEYED TO SOURCEGAS WATTENBERG LLC, AS GRANTED UNDER ORDINANCE 1060

WHEREAS, on December 18, 2007, the Fort Morgan City Council passed Ordinance No. 1060, granting to SourceGas Wattenberg, LLC a permit authorizing and consenting to the construction, installation, operation and maintenance of a natural gas pipeline and related equipment and facilities within the City of Fort Morgan, pursuant to Sec. 22-B1 of the *Code of the City of Fort Morgan*; and,

WHEREAS, following a merger of all rights, privileges, powers, and obligations of both SourceGas Wattenberg and SourceGas Distribution LLC, SourceGas Distribution, LLC will hold the sole membership interest in both companies with SourceGas Distribution, LLC as the surviving entity; and,

WHEREAS, this merger does not contemplate a change in corporate control, management, or the operation of the pipeline; and,

WHEREAS, this name change will not affect any obligation to the City of Fort Morgan pursuant to Ordinance 1060.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, THAT:

Section 1. The City Council of the City of Fort Morgan hereby permits the name change resulting from the merger of SourceGas Wattenberg LLC and SourceGas Distribution LLC. Further, that such name change is hereby approved conditioned upon the written confirmation that all obligations and duties lawfully imposed on SourceGas Distribution LLC and more specifically SourceGas Wattenberg LLC, as permitted by Ordinance 1060 be satisfied.

Section 2. In addition to the previous requirements as provided under Ordinance 1060, SourceGas Distribution, LLC is required to notify the City of Fort Morgan in the event it undertakes any repairs or services within the City that may affect the function of the City's Gas Department.

Section 3. That this Ordinance shall take effect from and after its passage.

INTRODUCED, READ AND PASSED UPON FIRST READING this 4th day of August, 2009, for publication once in a newspaper of the City of Fort Morgan, Colorado, at least ten days before its final passage.

[SEAL]

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: /s/ Jack Darnell
Mayor

ATTEST:

/s/ Andrea J. Strand
City Clerk

FINALLY PASSED, ADOPTED AND APPROVED this 18th day of August, 2009 for publication once in the newspaper of the City of Fort Morgan, Colorado, within five days of the final passage, to take effect five days after final publication.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack Darnell
Mayor

ATTEST:

/s/ Andrea J. Strand
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

CERTIFICATE

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1086** was, as a proposed **Ordinance** duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a Regular Meeting on the 4th day of August, 2009. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 7th day of August, 2009 published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed **Ordinance** was again taken up and read a second time, duly and legally passed, approved and adopted at a Regular Meeting of the City Council held on the 18th day of August, 2009. Within five (5) days after its final passage, said **Ordinance** was published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ Andrea J. Strand
City Clerk