

ORDINANCE NO. 1225

AN ORDINANCE TO AUTHORIZE THE CHANGE OF NAME FOR THE PERMIT CONVEYED TO SOURCEGAS WATTENBERG LLC, AS GRANTED UNDER ORDINANCE 1060 AND AMENDED BY ORDINANCE 1086

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 in 2009 of all rights, privileges, powers and obligations of both SourceGas Wattenberg and SourceGas Distribution LLC, SourceGas Distribution LLC became the sole membership interest in both companies with SourceGas Distribution LLC as the surviving entity; and,

WHEREAS, following the 2009 merger, the Fort Morgan City Council passed Ordinance No. 1086 authorizing a change in the name on the permit issued under Ordinance No. 1060; and,

WHEREAS, SourceGas Distribution LLC was acquired in 2016 by Black Hills Energy and additional corporate restructuring in or about 2018 has resulted in Black Hills Gas Distribution LLC d/b/a Black Hills Energy as the entity that holds the rights to service customers within the corporate boundaries of the City of Fort Morgan; and,

WHEREAS, this restructuring 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 acquisition and restructuring of SourceGas Distribution LLC to Black Hills Gas Distribution LLC d/b/a Black Hills Energy. Further, that such name change is hereby approved conditioned upon the written confirmation that all obligations and duties lawfully imposed on SourceGas Wattenberg LLC, as permitted by Ordinance 1060, be satisfied.

Section 2. In addition to the previous requirements as provided under Ordinance 1060, Black Hills Gas Distribution LLC d/b/a Black Hills Energy 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, ADOPTED ON FIRST READING AND ORDERED
PUBLISHED on the 19th day of February, 2019.



THE CITY COUNCIL OF THE CITY OF FORT
MORGAN, COLORADO


By: Ronald Shaver
Mayor

Attest:


John Brennan
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED
PUBLISHED this 5th day of March, 2019.



THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO


By: Ronald Shaver
Mayor

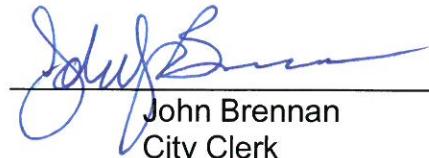
Attest:


John Brennan
City Clerk

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

CERTIFICATE

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1225** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 19th day of February, 2019. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 22nd day of February, 2018, 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 5th day of March, 2019. Within five (5) days after its final passage, said **Ordinance No. 1225** 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.



John Brennan
City Clerk