

AN ORDINANCE REVISING AND AMENDING ORDINANCE #4, PROVIDING FOR THE PAYMENT OF FRANCHISE TAXES BY ASSOCIATED NATURAL GAS COMPANY AND FOR OTHER PURPOSES

WHEREAS, Associated Natural Gas Company acquired the gas properties of Arkansas-Missouri Power Company in May of 1978, and

WHEREAS, Associated Natural Gas Company is the successor to Arkansas-Missouri Power Company's franchise with the City of Gosnell, and

WHEREAS, pursuant to Ordinance No. 4, Associated pays each year to the City, in twelve (12) equal monthly installments, a franchise tax of five percent (5%) calculated on the basis of the prior year's gross revenues (excluding industrial and municipal revenues) from sales to customers residing within the corporate limits of the City, and

WHEREAS, the City desires and Associated is agreeable to revise the franchise agreement to change the year on which such tax is calculated from the prior year to the current year, and for payment by Associated to the City of the accumulated difference of taxes collected and taxes paid.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOSNELL, ARKANSAS, THAT:

SECTION 1. Beginning January 1, 1983, and continuing until cancelled or amended, the Company shall pay to the City five percent (5%) of its then current year gross gas revenue from sales to residential and commercial customers located within the corporate limits of the City.

SECTION 2. Payments to the City of Gosnell by the Company shall be made quarterly throughout the calendar year, such payments being made on or before the 15th day of the month immediately following the end of the calendar quarter.

SECTION 3. Associated shall pay to the City of Gosnell on or before March 1, 1983, an amount which represents one-half of this accumulated difference between the City of Gosnell's franchise taxes which Associated will have collected by the end of December 1982, and which will have been paid to the City by the end of December 1982. Associated will pay the remaining one-half of such accumulated difference to the City on or before June 1, 1983.

SECTION 4. All ordinances, resolutions, agreements and parts of ordinances, resolutions, and agreements in conflict herewith are hereby repealed.

SECTION 5. The company shall have seven (7) days from and after this passage and approval to file its written acceptance of this ordinance with the City Clerk and upon such acceptance being filed, this ordinance shall be considered as taking effect and being in force thereafter.

APPROVED THIS 8th day of February, 1983.

APPROVED: Carl S. Lott  
Mayor

ATTEST: Janice Gray  
City Clerk