

Resolution No. 1

A Resolution authorizing a contract between the Incorporated Town of Tontitown, and Arkansas Western Gas Company exempting Arkansas Western Gas Company from payment of certain privilege or occupation taxes and providing for payments in lieu thereof from Arkansas Western Gas Company to the Town of Tontitown.

"Whereas, the Arkansas Western Gas Company holds a franchise granted by the Incorporated Town of Tontitown, granting the right and privilege to lay gas mains along the streets, alleys, avenues, roads and highways and other public places of the said Town for the purpose of distributing and selling natural gas to the inhabitants of said Town and for other purposes; and

Whereas, the said Arkansas Western Gas Company has offered to enter into a proposed contract, to be dated July 1, 1958, with the Town calling for the Company to pay to the Town two per cent (2%) of its sales of natural gas to domestic and commercial consumers within the Town limits which is to be in place of and in lieu of any and all occupation taxes, meter taxes, privilege taxes, license fees, street and alley rentals of whatever kind or nature (except general and ad valorem taxes) now in effect or hereafter put into effect by the said Town of Tontitown, Washington County, Arkansas; and

Whereas, the Council of the Town of Tontitown, Washington County, Arkansas, has determined that it will be in the best interest of the said Town to accept the terms and enter into the said contract, and that upon payment of the sum called for in the said contract that it will be fair, just and equitable that such sum be accepted in lieu of payment by the Company of any and all accupation taxes, meter taxes, privilege taxes, license fees, street and alley rentals, and any and all other levies, taxes, and fees of whatsoever kind, nature or character (except general and ad valorem taxes) for the life of the said contract and any renewals thereof.

Now, Therefore, Be It And It Is Hereby Resolved by the Council of the Town of Tonitown, Washington County, Arkansas, as follows to-wit:

That the Mayor and Recorder of the said Town be and they are hereby authorized and instructed to execute and enter into the aforementioned contract on behalf of the Town of Tontitown, Washington County, Arkansas.

That the Arkansas Western Gas Company be and it is hereby exempted from and relieved of paying any and all occupation taxes, meter taxes, privilege taxes, license fees, street and alley rentals, and any and all other levies, taxes, and fees of whatever kind or nature (except general and ad valorem taxes) now in effect or hereafter enacted by the Town of Tontitown, Washington County, Arkansas, during the existence of the hereinabove mentioned contract or any renewals thereof.

This resolution shall be in force and effect immediately upon its passage and adoption.

ADOPTED this 1st day of July, 1958

ATTEST

APPROVED

Richard M. Ardemagni
Recorder

Harry J. Sbanotto
Mayor

MINUTES OF MEETING OF THE COUNCIL OF THE TOWN
OF TONTITOWN HELD ON THE 1ST DAY JULY, 1958.

The Council of the Town of Tontitown, Arkansas, met in regular session on the 1st day of July, 1958, at its usual place of meeting at the Tontitown School at 8:00 o'clock, P.M.

The meeting was called to order by the Mayor, and on roll call the following answered present:

<u>Richard M. Ardemagni</u> ,	<u>Claude Morsani</u> ,
<u>William Fantinel</u> ,	_____
<u>Jack Zulpo</u> ,	_____
<u>Louis Perona</u> ,	_____

and the following were absent: Cel Cortiana.

The Mayor announced that this Council meeting was called for the purpose of passing an appropriate resolution approving a contract between the Town and Arkansas Western Gas Company under which the Arkansas Western Gas Company will make certain payments to the Town which will be in lieu of and will relieve the Company from any privilege or occupation taxes now or hereafter levied during the term of said contract and authorizing the Mayor and Recorder to execute said contract on behalf of the Town.

After discussion by the Council, Alderman Morsani introduced in writing a resolution to be entitled:

"A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE TOWN OF TONTITOWN, AND ARKANSAS WESTERN GAS COMPANY FROM PAYMENT OF CERTAIN PRIVILEGE OR OCCUPATION TAXES AND PROVIDING FOR PAYMENTS IN LIEU THEREOF FROM ARKANSAS WESTERN GAS COMPANY TO THE TOWN OF TONTITOWN."

which resolution the Recorder read in full.

Alderman Perona then moved that the rule requiring three different readings be suspended and that said resolution be placed on its second reading. Motion seconded by Alderman Zulpo. The Mayor put the question and the following voted:

Aye: <u>Fantinel</u> ,	<u>Ardemagni</u> ,
<u>Zulpo</u> ,	_____
<u>Perona</u> ,	_____
<u>Morsani</u> ,	_____

and the following voted:

Nay: None.

Whereupon, the Mayor declared the resolution passed and on its second reading. The resolution was read by the Recorder.

Alderman Fantinel moved the rules be further suspended and the resolution placed on its third and final reading. Seconded by Perona. Mayor put the question and the following voted:

Aye: <u>Fantinel</u> ,	<u>Ardemagni</u> ,
<u>Zulpo</u> ,	_____
<u>Perona</u> ,	_____
<u>Morsani</u> ,	_____

and the following voted:

Nay: None.

Whereupon the Mayor declared the motion duly carried. Said resolution was read in full by the Recorder. Alderman Perona moved its adoption and after due consideration thereof by said Council, the Mayor put the question upon the adoption of said resolution and the roll being called the following voted:

Aye: <u>Fantinel</u> ,	<u>Ardemagni</u> ,
<u>Zulpo</u> ,	_____
<u>Perona</u> ,	_____
<u>Morsani</u> ,	_____

and the following voted:

Nay: None.

Whereupon the Mayor declared said motion duly passed and signs his approval thereto and assigned to it the number 1. The resolution was attested by the Recorder and impressed with the seal of the Town. The Mayor and Recorder then executed the contract on behalf of the Town.

Matters not pertaining to resolution omitted.

There being no further business the Council adjourned.

ATTEST:

Richard M. Ardemagni

Harry Sbanotto
Mayor