

Ordinance # 16

AN ADDITION TO ADD ORDINANCE 16 TO READ AS FOLLOWS:

An ordinance granting to NorthWestern Corporation, its successors and assigns, the right to occupy any of the streets, alleys, or public places of the Town of Ethan, South Dakota, for the purpose of transmitting or distributing natural gas.

BE IT ORDAINED by the Town of Ethan, South Dakota:

Section 1. The right is hereby granted to NorthWestern Corporation, its successors and assigns, to occupy any of the streets, alleys, or public places of the Town of Ethan, South Dakota, for the purpose of transmitting or distributing natural gas for a period of 20 years from the 1st day of May, 2011, provided, however, that the right herein granted will not be exclusive.

Section 2. NorthWestern Corporation will be liable for all damages due to its negligence in constructing, operating, or maintaining its natural gas system within the Town of Ethan, and shall at all times hold the Town of Ethan harmless from any and all liability arising out of NorthWestern Corporation's negligence.

Section 3. NorthWestern Corporation shall promptly return any construction areas as nearly as possible to the condition or conditions they were in prior to NorthWestern Corporation's construction or maintenance operations.

Section 4. This ordinance shall not be effective unless NorthWestern Corporation files its unconditional acceptance of this ordinance with the Finance Officer of the Town of Ethan within 45 days after the publication of this ordinance.

First Reading:	March 21, 2011
Second Reading:	April 11, 2011
Publication:	April 16, 2011
Adopted:	May 6, 2011