



Duncan Samuel
City Clerk
City of Westwood Hills, Kansas

3.24.10
Tom Robinson took 1
original too

RE: Acceptance of Franchise
Westwood Hills, Kansas

Dear Mr. Samuel:

Under the provisions of Ordinance No. 230 of the City of Westwood Hills, Kansas, which was passed on March 1, 2010, the City granted to Kansas City Power & Light Company a franchise to construct, operate and maintain an electric distribution system in the City for a term of fifteen (15) years from and after the effective date.

You are hereby notified that Kansas City Power & Light Company does now accept the provisions of said Ordinance and agrees to comply with the same.

Dated this 15th day of March, 2010.

KANSAS CITY POWER & LIGHT COMPANY

By William P. Herdegen III
William P. Herdegen, III
Vice President, Customer Operations

ATTEST:

Barbara B. Curry
Barbara B. Curry
Corporate Secretary

I, Duncan Samuel, City Clerk of the City of Westwood Hills, Kansas, do hereby certify that the above acceptance was filed in the City Clerk's office of said City on the 24 day of March, 2010.

Witness my hand and the City Seal this 24 day of March, 2010.

Duncan Samuel
City Clerk

Seal

DM#23330

4.23.10

From Tom Robinson
Sample of what WWT
could have used, confirming
they approved KCPL
Franchise Agreement

CERTIFICATE

STATE OF KANSAS)
)
COUNTY OF JOHNSON)

Instead, gave Tom
2 copies of 3.1.10 minutes

I, _____, the duly qualified and acting City Clerk of the
City of _____, Kansas, in said County of Johnson, and the official custodian
of the records of the said City, do hereby certify that the foregoing is a true, correct and
complete copy of Bill No. _____, Ordinance No. _____, read two
times and passed in the manner required by law at a meeting of the Council of said
municipality, held on the ___ day of _____, 2010, approved and signed on the ___
day of _____, 2010, and recorded on the ___ day of _____, 2010, as said
ordinance appears on the records in my office; that the vote of the Council; on said
ordinance as cast and recorded on the records in my office was as follows:

For the Ordinance: _____

Against the Ordinance: _____

Given under my hand and the corporate seal of said municipality this ___ day of
_____, 2010.

ATTEST: _____
 City Clerk

ORDINANCE NO. 230

AN ORDINANCE GRANTING KANSAS CITY POWER & LIGHT COMPANY, ITS GRANTEEES, SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO CONSTRUCT AND MAINTAIN ALL WORKS AND PLANTS NECESSARY OR PROPER FOR SUPPLYING CONSUMERS WITH ELECTRIC OR OTHER ENERGY, GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS AND ALL OTHER PUBLIC PLACES, PRESCRIBING THE TERMS OF AND RELATING TO SUCH FRANCHISE AND REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF.

WHEREAS, Kansas City Power & Light Company (herein called the Company) is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy; and

WHEREAS, the Company is operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas and has heretofore built, or proposed to build, its transmission lines into or through the City of Westwood Hills, Kansas (herein called the City); and

WHEREAS, the parties hereto desire that the Company furnish energy to consumers in said City located in the areas of the City in which the Company shall hold a Certificate of Convenience and Authority from the State Corporation Commission of the State of Kansas;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

SECTION I. In consideration of the benefits to be derived by the City and the inhabitants thereof from the construction, operation and maintenance of an electric light and power transmission and distribution system and the supplying of electric energy to the public, there is hereby granted to the Company and to its successors and assigns, for the term of fifteen (15) years from the effective date hereof, a franchise and authority to construct, operate and maintain in the existing and any future extended corporate limits of the City all appropriate facilities and plants for carrying on a power and light business and all other operations connected therewith or incident thereto for the purpose of supplying the City and outlying areas electric or other energy in such forms as may be reasonably required for domestic, commercial, industrial, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute same by means of underground or overhead lines or otherwise, and for any or all of said purposes it is authorized to (i) construct, install, replace and remove conduits, or other underground facilities for the installation and protection of its underground wire and cables, (ii) place poles, lamp posts, guys, and anchors for its overhead wires, cables and street lights on all streets, alleys, avenues, bridges, parks, parking and other public places or thoroughfares, (iii) construct, erect and maintain small enclosures and structures, machinery and attachments of any and every kind for any and all said purposes, and (iv) enter

3.10.10

11:00 Gave 2 of the 3 originals
to Tom Robinson. He will get
published in Legal Record (will be in
next Tuesday 3/17, then he'll get
affidavit of Publish to us too.

upon any and all of said public places within the corporate limits of the City as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under its jurisdiction, and to trim trees upon and overhanging such places and make such excavations thereon as may be appropriate for the construction, repair and renewal of its overhead and underground facilities and plants.

SECTION II. Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the governing body of said City under all necessary permits issued for the work, and shall be made and done in such manner as to give the least inconvenience to the inhabitants of the City and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good condition as before with all convenient speed, all at the expense of the Company.

SECTION III. During the continuance of this franchise, the Company shall construct, maintain and operate its transmission and distribution system within the City and shall furnish electric energy to the City and its inhabitants in accordance with the terms of this franchise, the rates, charges, rules and regulations as may be lawfully established from time to time in accordance with the laws of the State of Kansas. Nothing contained herein shall be construed as a guarantee upon the part of the Company to furnish uninterrupted service, and interruptions due to Acts of God, fire, strikes, civil or military authority, orders of the court and other causes reasonably beyond the control of the Company are specifically exempt from the terms of this Section.

SECTION IV. The Company shall, at all times, in the construction, maintenance, and operation of its electric transmission, distribution and street lighting system, use all reasonable and proper precaution to avoid damage or injury to persons or property, and shall hold and save harmless said City from any and all damage, injury and expense caused by the sole negligence of the Company, its successors and assigns.


SECTION V. In consideration of the premises, the Company agrees to pay to the City of Westwood Hills, Kansas, and the City of Westwood Hills agrees to accept as adequate compensation and consideration for the franchise hereby granted and in lieu of occupation, license, privilege and all other taxes and fees, five percent (5%) of the total of the gross receipts for electric energy sold by the Company to all consumers located in the present or future corporate boundaries of said City of Westwood Hills during the term of this franchise. Any consideration hereunder shall be reported and paid to the City by the Company on a semiannual basis on each June 30 and December 31 for the years in which this franchise remains in effect, reflecting such electric energy sold for the six months' period ending at the last meter reading preceding each May 31 and November 30, respectively. Such payments shall first be applied to the amount due to the Company from the City for street lighting and traffic signal service billed for the applicable six months' period (the "SLTS Billings Amount") and by paying the remainder, if any, in cash to the City. If in any applicable said six months' period the SLTS Billings Amount exceeds the gross receipts amount due to the City, the Company shall for such excess bill the City and the City shall pay the same in cash to the Company. The term "gross receipts", as used in this Section shall not include the amount paid to the City pursuant to this Section.

SECTION VI. All provisions of this Ordinance shall be binding upon the Company and successors and assigns from and after the date of written acceptance hereof by the Company, and shall inure to the benefit of the Company, its grantees and its successors and assigns.

SECTION VII. All ordinances and parts of ordinances in conflict herewith are hereby repealed as of the effective date of this Ordinance.

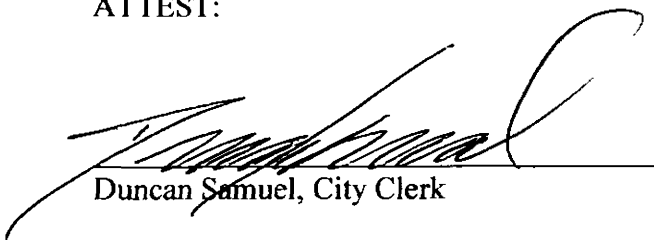
SECTION VIII. This Ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as of the 1st day of April, 2010.

PASSED AND APPROVED THIS 1st DAY OF MARCH, 2010.



John Heeney, Mayor

ATTEST:



Duncan Samuel, City Clerk

The Legal Record

PO Box 273
Olathe, KS 66051-0273
(913) 780-5790

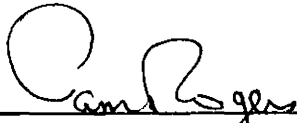
ATTN: MR. DUNCAN SAMUEL
CITY OF WESTWOOD HILLS
PO BOX 922
SHAWNEE MISSION KS 66201-0922

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Rogers, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing Clerk
for The Legal Record which is a newspaper printed in
the State of Kansas, published in and of general paid
circulation on a weekly, monthly or yearly basis in
Johnson County, Kansas, is not a trade, religious or
fraternal publication. is published at least weekly fifty
(50) times a year, has been so published continuously
and uninterrupted in said County and State for a period
of more than one year prior to the first publication of the
notice attached, and has been entered at the post office
as Periodicals Class mail matter. That a notice was
published in all editions of the regular and entire issue
for the following subject matter (also identified by the
following case number, if any)

for 1 consecutive week(s), as follows:

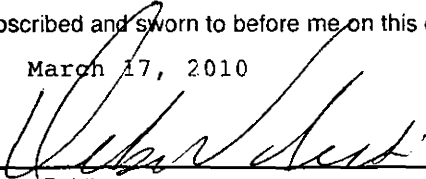
ORDINANCE NO. 230 -- 3/16/10



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

March 17, 2010



Notary Public

DEBRA VALENTI
Notary Public - State of Kansas

My appointment expires: August 21, 2011.

ORDINANCE NO. 230

First published In The Legal Record, Tuesday March 16, 2010.

ORDINANCE NO. 230

AN ORDINANCE GRANTING KANSAS CITY POWER & LIGHT COMPANY, ITS GRANTEEES, SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO CONSTRUCT AND MAINTAIN ALL WORKS AND PLANTS NECESSARY OR PROPER FOR SUPPLYING CONSUMERS WITH ELECTRIC OR OTHER ENERGY, GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS AND ALL OTHER PUBLIC PLACES, PRESCRIBING THE TERMS OF AND RELATING TO SUCH FRANCHISE AND REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF.

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WHEREAS, the Company is operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas and has heretofore built, or proposed to build, its transmission lines into or through the City of Westwood Hills, Kansas (herein called the City); and

WHEREAS, the parties hereto desire that the Company furnish energy to consumers in said City located in the areas of the City in which the Company shall hold a Certificate of Convenience and Authority from the State Corporation Commission of the State of Kansas;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

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SECTION II. Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the governing body of said City under all necessary permits issued for the work, and shall be made and done in such manner as to give the least inconvenience to the inhabitants of the City and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good condition as before with all convenient speed, all at the expense of the Company.

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SECTION IV. The Company shall, at all times, in the construction, maintenance, and operation of its electric transmission, distribution and street lighting system, use all reasonable and proper precaution to avoid damage or injury to persons or property, and shall hold and save harmless said City from any and all damage, injury and expense caused by the sole negligence of the Company, its successors and assigns.

SECTION V. In consideration of the premises, the Company agrees to pay to the City of Westwood Hills, Kansas, and the City of Westwood Hills agrees to accept as adequate compensation and consideration for the franchise hereby granted and in lieu of occupation, license, privilege and all other taxes and fees, five percent (5%) of the total of the gross receipts for electric energy sold by the Company to all consumers located in the present or future corporate boundaries of said City of Westwood Hills during the term of this franchise. Any consideration hereunder shall be reported and paid to the City by the Company on a semiannual basis on each June 30 and December 31 for the years in which this franchise remains in effect, reflecting such electric energy sold for the six months' period ending at the last meter reading preceding each May 31 and November 30, respectively. Such payments shall first be applied to the amount due to the Company from the City for street lighting and traffic signal service billed for the applicable six months' period (the "SLTS Billings Amount") and by paying the remainder, if any, in cash to the City. If in any applicable said six months' period the SLTS Billings Amount exceeds the gross receipts amount due to the City, the Company shall for such excess bill the City and the City shall pay the same in cash to the Company. The term "gross receipts", as used in this Section shall not include the amount paid to the City pursuant to this Section.

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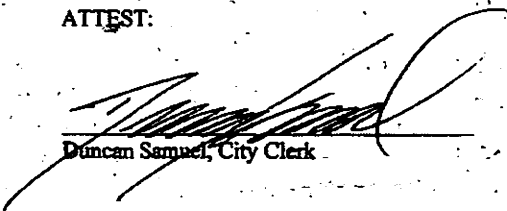
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PASSED AND APPROVED THIS 1st DAY OF MARCH, 2010.


John Heaney, Mayor

ATTEST:


Duncan Samuel, City Clerk



The Legal Record

PO Box 273
Olathe, KS 66051-0273
(913) 780-5790

Publication Fees: \$42.84

TOM ROBINSON
KCP&L
16215 W 108TH ST
LENEXA KS 66219-1347

NOTICE OF ELECTORS
 First published in The Legal Record, Tuesday, February 2, 2010.
NOTICE OF ELECTORS OF THE
CITY OF WESTWOOD HILLS, KANSAS

Take notice that Kansas City Power & Light Company and the Governing Body of the City of Westwood Hills, Kansas, have commenced negotiations on a franchise agreement permitting the Company to construct, operate and maintain an electric system for supplying electrical service to the inhabitants of the City within the Company's service area certified by the Kansas Corporation Commission. The franchise would be effective for 15 years and would require the Company to collect and pay to the City a fee of 5% of the gross receipts charged for electricity consumed within the City by all customers except the amount paid to the City. The proposed franchise, in the form of an ordinance, will be read and considered at a future public meeting of the Governing Body.

2/2

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Rogers, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Billing Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any)

for 1 consecutive week(s), as follows:

NOTICE OF ELECTORS: CITY OF WESTWOOD HILLS -- 2/2/10



Pam Rogers

Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

February 3, 2010

Penny Knight

Notary Public

PENNY KNIGHT
Notary Public - State of Kansas

My appointment expires: December 31, 2013.

L17645

Recd 2.28.10

From: Robinson Tom <Tom.Robinson@kcpl.com>

To: Duncan Samuel (sds22863@aol.com) <sds22863@aol.com>

Cc: Wehry Nicole <Nicole.Wehry@kcpl.com>; Snider Paul <Paul.Snider@kcpl.com>

Subject: Franchise acceptance

Date: Tue, Mar 2, 2010 11:01 am

In order to complete the franchise process, I need the following documents:

2 originals of the franchise ordinance

2 originals of the affidavit of publication--I will get them from The Legal Record--you provide them the ordinance for publication and I will pay for it and get the affidavits

2 certified originals of the meeting minutes from last night that list which council members voted for the ordinance and which voted against (all were for)

Once I provide those to my legal department I will bring the acceptance to you for your signature.

I usually deal with Emily at The Legal Record, (913) 780-5790, notices@thelegalrecord.net

Thanks

Tom Robinson
KCP&L-Community Business Manager
16215 W. 108th St
Lenexa, KS 66219-1347
(913) 894-3013 office
(816) 835-5720 cell
tom.robinson@kcpl.com