

AN ORDINANCE GRANTING TO THE ST. CLOUD PUBLIC SERVICE COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE, FRANCHISE AND AUTHORITY TO ERECT, CONSTRUCT, INSTALL AND MAINTAIN POLES, WIRES, CABLES, CONDUITS, TRANSFORMERS AND OTHER SUITABLE AND NECESSARY APPLIANCES AND EQUIPMENT, ALONG, UPON, UNDER, ACROSS AND OVER SUCH STREETS, ALLEYS, HIGHWAYS, BRIDGES AND PUBLIC PLACES IN THE VILLAGE OF NEW MUNICH, IN STEARNS COUNTY, MINNESOTA, AS MAY BE NECESSARY AND SUITABLE FOR THE PURPOSE OF EXTENDING ITS TRANSMISSION LINES INTO AND CARRYING THE SAME THRU THE SAID VILLAGE FOR THE PURPOSE OF FURNISHING ELECTRICAL POWER AND ENERGY TO POINTS BEYOND SAID VILLAGE, AND ALSO FURNISHING ELECTRICAL POWER AND ENERGY TO SAID VILLAGE, TO BE USED IN OPERATING ITS MUNICIPAL ELECTRIC LIGHT AND POWER PLANT AND DISTRIBUTING SYSTEM FOR THE PURPOSE OF LIGHTING ITS STREETS AND PUBLIC PLACES, PUMPING WATER FOR MUNICIPAL PURPOSES, SUPPLYING ELECTRIC SERVICE TO ITS INHABITANTS, AND FOR OTHER CORPORATE PURPOSES WITHIN THE CORPORATE LIMITS OF SAID VILLAGE, AS THE SAME NOW EXIST OR MAY BE HEREAFTER EXTENDED.

The Village Council of the Village of New Munich do ordain as follows:

Section 1. That said Village hereby grants unto the St. Cloud Public Service Company, a corporation duly organized and existing under the laws of the State of Minnesota, and to its successors and assigns, hereinafter called the "Grantee", during the full period of twenty-five (25) years from and after the date of the passage and publication of this Ordinance, the right, privilege, franchise and authority to erect, construct, install and maintain along, upon, under, across and over such streets, alleys, highways, bridges and public places of said Village as may be necessary or convenient for the purpose of extending and bringing its transmission lines into and carrying the same thru the said Village for the purpose of furnishing electrical power and energy to points beyond said Village and also for the purpose of wholesaling current to said Village for lighting its streets and public places, pumping water for municipal purposes, supplying electric service to its inhabitants, and for other corporate purposes within the corporate limits of said Village, as the same now exist or may be hereafter extended.

Section 2. That there is also granted to said Grantee permission and authority to trim all trees and shrubs, either wholly within any such street, alley, highway or public place, or the branches of which overhang the same and which interfere with the proper construction, maintenance and operation of any poles, wires, cables, transformers or other appliances and equipment of the Grantee.

Section 3. This Grant shall vest in said Grantee, its successors and assigns, full power, license and authority to make all necessary erections and excavations for the purposes aforesaid, but the same shall be done with due and reasonable dispatch and diligence and with the least practicable inconvenience to or interference with the rights of the public and individuals and said Grantee, its successors or assigns, shall restore all such streets, alleys, highways and public places to their original condition so far as reasonably practicable, and all damage done by such excavations shall be repaired by said Grantee, and in case any obstruction shall remain longer than five (5) days after written notice from the Village Council of said Village to remove the same, or in case of negligence on the part of said Grantee to protect any dangerous place by proper guards and signals, then said Village may remove or protect the same at the cost of said Grantee.

Section 4. Any person who shall interfere or meddle with or in any way injure or damage the poles, wires, fixtures or other property belonging to or appertaining to or connected with the transmission line of said Grantee within said Village shall be guilty of a misdemeanor and shall be fined not less than one dollar nor more than twenty dollars for each such offense.

Section 5. That said Grantee shall, if it accepts this franchise ordinance and the rights granted hereby, file within sixty (60) days from the date of the passage and publication hereof a written acceptance hereof with the Village Clerk of said Village of New Munich.

Section 6. That this ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed at a special meeting of the Village Council of said Village of New Munich, in Stearns County, Minnesota, held on the 23rd day of December, A.D. 1922.

Attest:

Geo. O. T. B...
Village Clerk.

J. S. O. Weber
President of the Village Council
of the Village of New Munich,
Minnesota.