

VILLAGE OF NEW MUNICH, STEARNS COUNTY, MINNESOTA

AN ORDINANCE GRANTING PERMISSION TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, ENLARGE, OPERATE, REPAIR, AND MAINTAIN, IN THE VILLAGE OF NEW MUNICH, MINNESOTA, TRANSMISSION LINES AND AN ELECTRIC DISTRIBUTION SYSTEM, INCLUDING NECESSARY POLES, POLE LINES, WIRES, CABLES, AND FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE VILLAGE AND ITS INHABITANTS, AND OTHERS, AND TRANSMITTING ELECTRIC ENERGY INTO AND THROUGH THE VILLAGE, AND TO USE THE STREETS, ALLEYS, AND PUBLIC GROUNDS OF SAID VILLAGE FOR SUCH PURPOSES:

THE VILLAGE COUNCIL OF THE VILLAGE OF NEW MUNICH, STEARNS COUNTY, ORDAINS AS FOLLOWS:

Section 1. That there be and hereby is granted to Northern States Power Company, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Company", during the period of twenty (20) years from the date hereof, the right and privilege of erecting, installing, enlarging, operating, repairing, and maintaining, in, on, over, under, and across the streets, alleys, and public grounds of said Village electric transmission lines and an electric distribution system, including all poles, pole lines, wires, cables, lamps, transformers, and other fixtures and appurtenances, usually, conveniently, or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power, and other purposes for public and private use in and to said Village and the inhabitants thereof, and others, and for the purpose of transmitting electric energy into and through said Village, provided that such transmission lines and electric distribution system shall be so located as in no way to interfere with the safety and convenience of ordinary travel along and over said streets and alleys, and provided that Company, in the erection, installation, enlargement, operation, repair, and maintenance of such poles, pole lines, wires, cables, lamps, transformers, and other fixtures and appurtenances, shall be subject to such reasonable regulations as may be imposed by the Village Council.

Section 2. That the rates to be charged by the Company for the electric energy sold within said Village shall be reasonable and shall not exceed Company's standard schedule of rates and minimum charges effective for and in communities of like size in adjoining territory which are similarly served and situated.

Section 3. There is also granted to Company during the term hereof, permission and authority to trim all trees and shrubs in the streets, alleys, and public grounds of said Village interfering with the proper erection, installation, enlargement, operation, repair, and maintenance of any poles, pole lines, wires, cables, lamps, transformers, or any other fixtures or appurtenances, installed in pursuance of the authority hereby granted, provided that Company shall save said Village harmless from any liability in the premises.

Section 4. Nothing in this Ordinance contained shall be construed as giving to Company any exclusive privilege in, on, over, under, or across the streets, alleys, or public grounds of said Village.

Section 5. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 6. Company shall, if it accepts this Ordinance and the rights hereby granted, file a written acceptance of the franchise rights hereby granted with the Village Clerk within ninety (90) days from the date of the publication of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

Section 8. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED: September 1, 1955.

C. L. White
Mayor

ATTEST:

A. C. Hembeck
Village Clerk