

An ordinance granting to the Commonwealth Power Co., a corporation, its successors and assigns, the right, power and authority to construct, acquire, maintain and use electric lines consisting of towers, masts, poles, cross arms, guys, brace feeders transmission wires, transformers and other electrical appliances, on along and across the avenues, streets, alleys, highways and other public places in and through the Village of Concord, Jackson County, Michigan, for the period of thirty years, the Village of Concord ordains:

Section 1. That whenever the word grantee appears in this ordinance, it is thereby intended to designate and shall be held to mean the Commonwealth Power Company, a corporation, its successors and assigns.

Section 2. The right power and authority is hereby granted to and vested in the Commonwealth Power Company, its successors and assigns, to construct maintain and use electric lines consisting of towers, masts, poles, cross-arms, guys, braces, feeders, transmission wires, transformers and other electrical appliances, on, along and across the avenues, streets, alleys, highways and other public places in the Village of Concord, Jackson County, Michigan, for the period of thirty years.

Section 3. No avenue, street, alley or public place used by said grantee shall be obstructed longer than during the work of construction and shall be restored to the same good order and condition as when said work was commenced. No part of said avenues, streets, alleys or public places shall be permitted to remain in dangerous or unsafe condition by reason of anything done or omitted to be done by grantee, and it shall be liable for such damages as may be suffered by any corporation or person by reason of his negligence in the use of the avenues, streets, alleys or public places.

Section 4. All towers masts and poles shall be set and all wires shall be suspended in a careful and proper manner and in accordance with the reasonable regulations now in force in the village or that may hereafter be adopted by the Village Council.

Section 5. The grantee shall be entitled to charge the inhabitants of said village for electric current for lights, heat and power, the price in its regular schedule now in force in the City of Jackson, a true copy of which schedule shall be filed with the Village Clerk at or before the acceptance hereof. If after the expiration of ten years from the date of the acceptance hereof, either the Village of Concord or the grantee is dis-satisfied with the schedule of prices, it may petition the Railway Commission of Michigan to determine and fix a just and reasonable schedule of prices to be thereafter charged.

Section 6. In consideration of the rights, power, authority and privileges herein granted, all of which upon the acceptance hereof by the grantee shall except as herein otherwise provided, become and be vested in it for the full period of thirty years from the date of such acceptance, the said grantee shall faithfully perform all things required by the terms hereof, and such performance by the grantee shall be in lieu of all license fees and charges of every name and nature except general taxes which the village might otherwise levy or impose.

Section 7. The rights, powers, authority and privileges herein granted are not exclusive.

Section 8. This ordinance and the acceptance hereof shall be and constitute a contract by and between the grantee and the Village of Concord; provided, however, that the same may be revoked by the Village of Concord at any time, unless it shall be submitted to the electors of said village at a regular or

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special municipal election and shall receive the affirmative vote of three fifths of the electors of the Village of Concord voting thereon at such election, and upon such proposition, women taxpayers having the qualifications of electors shall be entitled to vote.

And whereas, it is the wish of the grantee named in said ordinance and of the Village Council that said ordinance and proposition be submitted to the electors of the Village of Concord and women taxpayers having the qualifications of male electors at a special election to be called for that purpose.

Therefore be it resolved, that a special election of the Village of Concord, Jackson County, Michigan, be called, and the same is hereby called, to be held at Council Room in said Village on the 11th day of October, 1909, for the purpose of voting upon the approval of said public utility franchise.