

ORDINANCE NO. 48

CITY OF LUCAN, REDWOOD COUNTY, MINNESOTA

AN ORDINANCE GRANTING PERMISSION TO REDWOOD ELECTRIC COOPERATIVE, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN, IN THE CITY OF LUCAN, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, UNDERGROUND LINES, AND FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS, AND OTHERS, AND TRANSMITTING ELECTRIC ENERGY INTO AND THROUGH THE CITY AND TO USE THE STREETS, ALLEYS, AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSES

THE CITY COUNCIL OF THE CITY OF LUCAN, REDWOOD COUNTY, MINNESOTA, ORDAINS AS FOLLOWS:

Section 1. There be and hereby is granted to Redwood Electric Cooperative, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Cooperative", during the period of 20 years from the date hereof, the right and privilege of constructing, operating, repairing, and maintaining, on, over, under and across the streets, alleys, and public grounds of said City, an electric distribution system and electric transmission lines, including all poles, pole lines, underground lines, and 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 City and the inhabitants thereof, and others, and for the purpose of transmitting into and through said City such electric energy, provided that such electric distribution system and transmission lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along and over said streets, alleys, and public grounds, and provided that Cooperative, in the construction, operation, repair, and maintenance of such poles, pole lines, underground lines, and fixtures and appurtenances, shall be subject to such reasonable regulation as may be imposed by the City Council.

Section 2. The rates to be charged by Cooperative for the electric energy sold within said City shall be reasonable and shall not exceed Cooperative's standard schedule of rates and minimum charges effective for other members of Cooperative.

Section 3. There is also granted to Cooperative, during the term hereof, permission and authority to trim all trees and shrubs in the streets, alleys, and public grounds of said City interfering with the proper construction, operation, repair, and maintenance of any poles, pole lines, and fixtures or appurtenances, installed in pursuance of the authority hereby granted, provided that Cooperative shall save said City harmless from any liability in the premises.

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


Section 5. Cooperative 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. Cooperative shall, if it accepts this Ordinance and the rights hereby granted, file a written acceptance of the rights hereby granted with the City Clerk within 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 ordinance and parts of ordinances in conflict herewith are hereby repealed.

Passed and approved:



Mayor

Attest:



City Clerk

(Passed October 4, 1982, Published October, 21 1982)