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AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the VILLAGE OF Martin, Allegan COUNTY, MICHIGAN, for a period of thirty years.

THE VILLAGE OF Martin ORDAINS:

SECTION 1. That wherever the word "Grantee" appears in this ordinance, it is hereby intended to designate, and shall be held to refer to the Consumers Power Company, a Michigan corporation, its successors and assigns. The right, power and authority is hereby granted and vested in said Grantee to construct, maintain and commercially use electric lines, consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the Village of Martin, Allegan County, Michigan, for a period of thirty years.

SECTION 2. In consideration of the rights, power and authority hereby granted, all of which shall vest in the Grantee for a period of thirty (30) years as aforesaid, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. No highway, street, alley, bridge or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair and shall be restored to the same good order and condition as when said work was commenced. All towers, masts, poles and other supports shall be set and all wires shall be suspended or buried in a careful and proper manner so as not to injure persons or property. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the President of the Village.

SECTION 4. The Grantee shall at all times keep and save the Village free and harmless from all loss, costs and damage to which it may be subject by reason of the negligent construction and maintenance of the towers, masts, poles, wires and other structures and appliances, the erection, burial and maintenance of which are hereby authorized.

SECTION 5. The Grantee shall be entitled to charge the inhabitants of said Village for electric energy for light, heat and power, the rates as approved by the Michigan Public Service Commission. Said rates shall be subject to review and change at any time by the Michigan Public Service Commission or its successors, upon proper application by either said Grantee

of the Village, acting by the Village Council, being made thereto, and the regularly filed rates as approved by said Michigan Public Service Commission or its successors, as applicable to said Village of Martin, shall at all times be the lawful rates.

All bills for electric energy shall be payable monthly. The Grantee may collect the minimum charge as specified in said schedule. It shall also furnish and maintain commercially accurate meters to measure the energy furnished. Said Grantee shall at all reasonable times have access to the premises of its customers, for the purpose of reading, inspecting, removing and replacing such meters.

SECTION 6. The rights, power and authority herein granted, are not exclusive.

SECTION 7. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to electric service in said Village.

SECTION 8. The franchise granted by this ordinance is not subject to revocation, and shall be and become valid and binding only upon its ratification by the affirmative vote of at least three-fifths of the electors of said Village voting thereon at a regular or special municipal election to be held in the manner provided by law. This ordinance shall not be submitted to the electors unless the Grantee shall, within thirty days after the adoption hereof, file with the Village Clerk its written acceptance, subject to the ratification by the electors of the Village. Upon the acceptance hereof and the ratification by the electors as aforesaid, this ordinance shall constitute a contract between the Village and the Grantee for the full term of thirty (30) years from and after the date of such ratification by the electors.

We hereby certify that the foregoing ordinance was duly enacted by the Village Council of the Village of Martin, Allegan County, Michigan, on the \_\_\_\_\_ day of \_\_\_\_\_, 1987.

\_\_\_\_\_  
Village President

Attest:

Mary Beth Porter  
Village Clerk