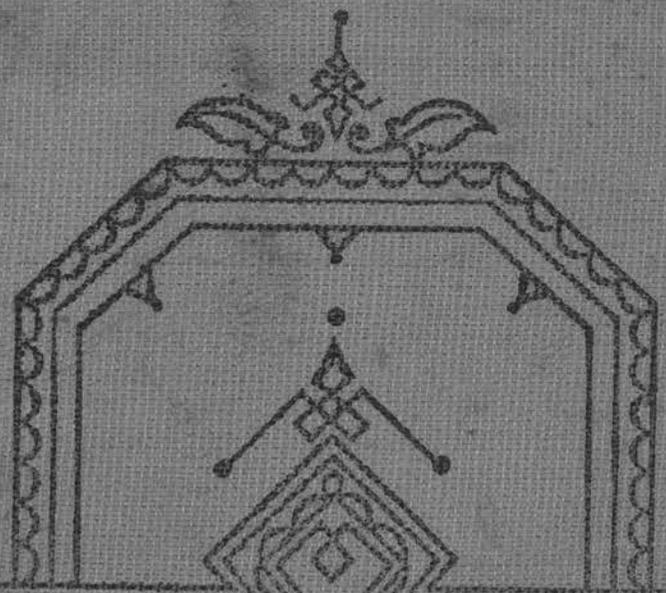
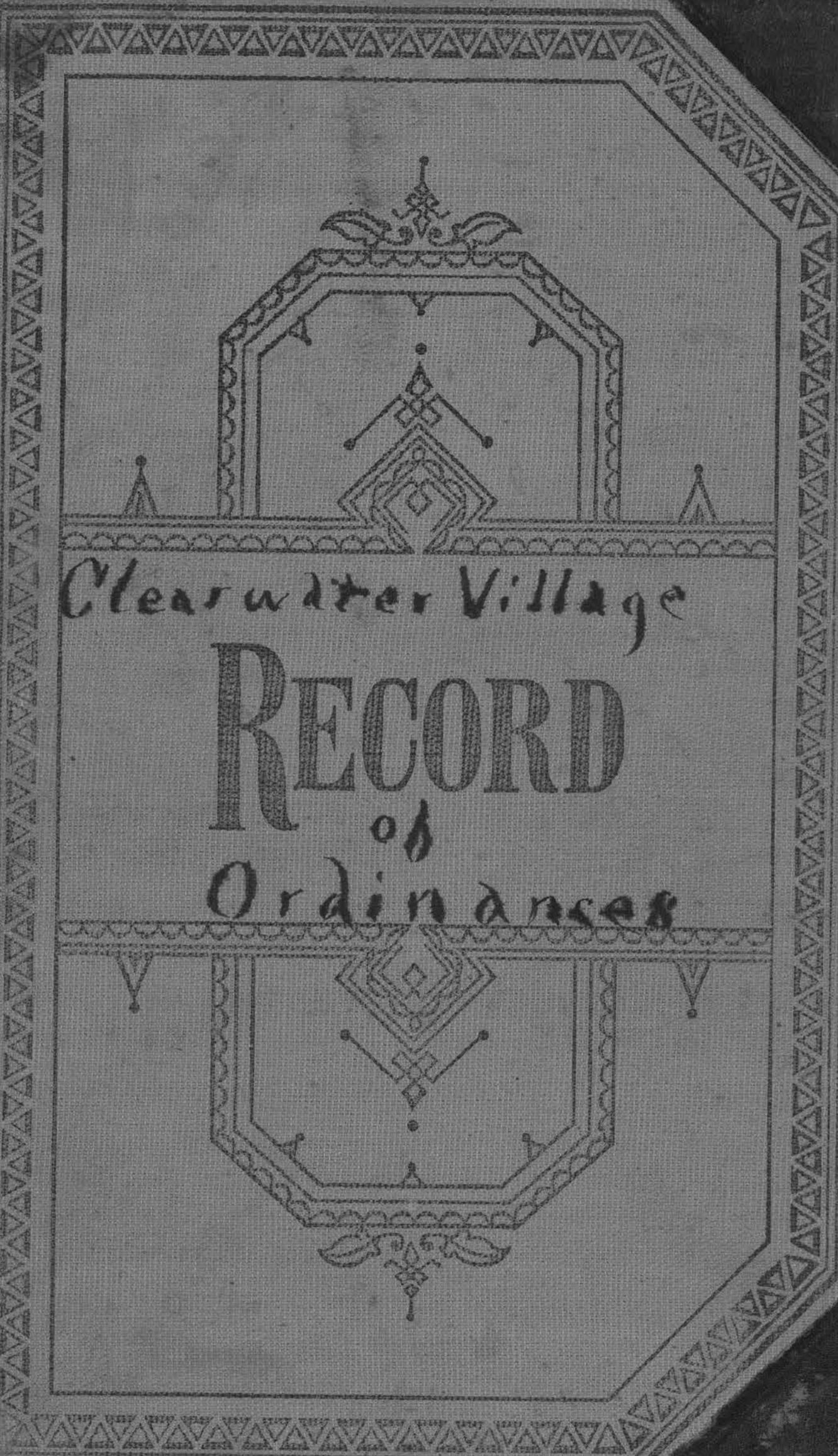




Clearwater (Minn.). Records

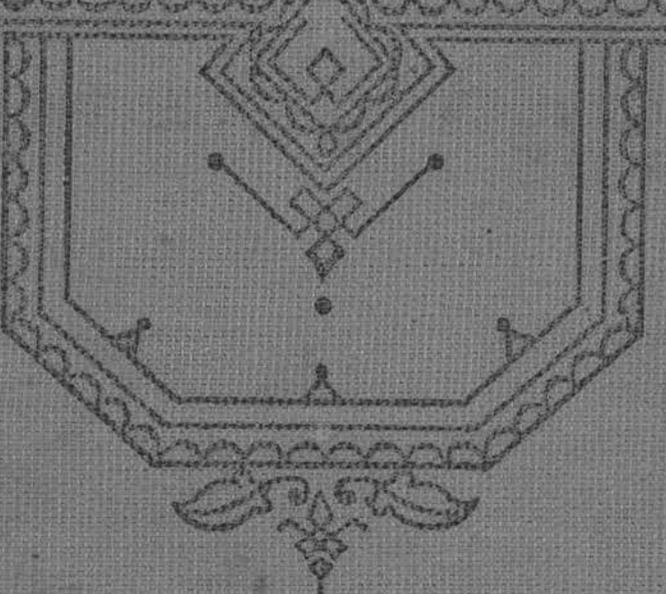
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Clearwater Village

RECORD
of
Ordinances



1908 - 1916

Ordinances #1-12

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Ordinance No 1

An Ordinance Regulating the Construction of Artificial Stone Sidewalks and Cement Curbs, and Granite Curbs, and The Care Theroff.

The Village Council of Clearwater, Minnesota, do Ordain as follows.

Sec 1. - Sidewalks hereafter built upon the Public Streets of the Village of Clearwater, of Artificial Stone Blocks in The manner prescribed herein, will be accepted as competent sidewalks, and the expense thereof will be in part paid by said Village as hereinafter provided.

Sec. 2. - All sidewalks shall be constructed of artificial stone. That part of streets on which sidewalks are to be laid will be graded by the street Commissioner. By Artificial stone herein specified is meant a composition of Portland Cement and Sand. By Sand is meant clean, sharp sand, free from loam, and screened clear from pebbles. The grade for said sidewalk shall be to an Elevation of three inches below the finished walk.

Sec. 3 The foundation shall consist of a layer of sand not less than four inches deep. The bed shall

consist of a layer of one inch in depth, composed of one part natural cement and five parts of sand. The cement, and sand shall be thoroughly mixed while dry, when the mixture shall be wet sufficiently to make it of the proper consistency for a bed for the blocks, which shall be laid before the cement of the bed sets. The bed shall be so prepared as to present an even and uniform surface.

Sec. 4 The blocks shall be two inches thick and twenty (20) inches square in five foot walks, and shall be 16 inches square in four foot walks. The upper or wearing surface of the blocks shall be one half an inch thick, and shall be composed of one part Portland cement and two parts of sand - The part of the block below the wearing surface shall be composed of one part Portland cement and five parts sand.

Sec. 5 The foundation bed and blocks must be thoroughly rammed or tamped with suitable tools and to the satisfaction of the Village Council. The blocks must be held in close contact with each other, and after being laid, the joints must be filled by sweeping into them pure Portland cement until thoroughly filled.

Sec. 6 Driveway. Upon the foundation will be placed a layer of concrete, uniformly four inches in depth, and composed as follows: one part Portland cement and four parts sand and gravel thoroughly intermixed with sufficient water to form a stiff mortar, of the combined cement sand and gravel. This concrete will be spread and rammed to an even surface parallel to and one inch below the proposed sidewalk surface before any set in the mortar can occur. The wearing surface will be composed of one part Portland cement, and two parts sand thoroughly mixed dry, after which sufficient clean water shall be added to form a stiff mortar. This mortar shall be evenly spread upon the concrete base before any set can occur in the mortar and before the concrete becomes dry. The mortar as soon as spread will be jabbed, floated and troweled to a true, smooth surface at the sidewalk grade. The blocking for the Driveway will be done by cutting and finishing after the usual manner, except the grooves will be made three eighths of an inch at the bottom and three fourths of an inch at the top, or sidewalk surface (the design to be furnished by the Village Council) and will generally be spaced four inches from each other across the

drive way (along the sidewalk).
The surface or form of driveway when completed will be level with the adjacent sidewalk, except the apron adjoining the gutter, which will be shaped to connect with the gutter.

Sec. 7.

Sidewalks shall be of the width of five feet on each side of main street from Oak Street to Pine Street and four feet wide on all other streets. A curb six inches thick and eighteen (18) in depth shall be placed in front of all business houses. Said curb shall be constructed of one part Portland cement and two and one half parts of sand, mixed dry, and wet with clear water sufficient to ~~be~~ and to be tamped thoroughly in moulds and finished off to a smooth surface. If granite stone is preferred for curb, it shall be of same dimensions as the cement curbs. No such walks shall be laid between the first day of November and the first day of May of any year.

Section 8

When sidewalks shall have been laid in accordance with the provisions of this ordinance, and not otherwise, and shall have been accepted by the village council as satisfactory, there shall be paid to the person causing the same to be built the sum of thirty-five (35) percent of the cost of artificial stone sidewalk, as described in this ordinance. If granite stone curbs be used or cement curbs, the sum of thirty-five (35) per cent of cost

of cement curb shall be allowed on such granite from the village treasury, upon the allowance of the village Council.

Sec 9

No person shall drive or cause to be driven upon said stone sidewalks or any part thereof, any horses, mules, cattle or other heavy animals or permit to be driven or run over the same any wagon, buggy or other heavy vehicles at any time, nor unload or cause to be unloaded, any boxes, barrels, trunks or other heavy articles upon said stone sidewalks; and any person or persons violating any provisions of this section shall be guilty of a misdemeanor, and upon conviction be sentenced to pay a fine of not less than two dollars nor more than twenty five dollars, and cost of prosecution, or in default thereof, be committed to the common jail of Wright County, for a period not exceeding thirty days.

Sec 10

After the construction of said walks, the same shall be kept in repair by, ~~and~~ at the expense of, the owner of the abutting property; and if not repaired in due season, proceedings shall be had as required by sec 30 of Chapter 135 of the general laws of the State of Minnesota of 1885, as amended by Chapter 90 of the general laws of said state for for the

year 1899
 Sec 11 This ordinance shall take
 effect from and after its
 publication
 Adopted July 18th 1905
 Published July 21st 1905
 Jos. Whitemore
 Attest Geo Newell Recorder
 Pres. of Council

May 4th 1908 Ordinance no 1
 an Ordinance amending section 4
 of Ordinance no 1 in regard to artificial
 Stone Sidewalks in the Village of Clearwater
 the Village of Clearwater Minn do Ordain
 as follows

Sec. 1 That section 4 of Ordinance no 1 of said
 Village be and the same hereby is
 amended by adding at the end thereof
 the following
 Provided That the Village Council may
 by resolution Order said Sidewalks
 or any Part thereof to be laid soft
 not less than four inches thick such
 resolution to contain the specifica-
 tion as to material and construction

Sec 2 This Ordinance shall take effect
 from and after its Publication
 Adopted May 4 1908.

A. L. Hert
 Recorder
 Published May 8, 1908
 W. F. Shattuck
 President

Ordinance No 2
 An Ordinance Regulating the
 Cleaning of Side Walks
 The Village Council of the Village
 of Clearwater Minn

Do Ordain as follows

Sec. 1 All Side Walks shall be kept
 Clean of Snow by and at the expense
 of the abutting Property Owners
 Sec 2

All Side Walks that are not cleaned
 of Snow with a reasonable time will
 be cleaned by Street Commissioner
 and the amount added against said
 Property

Sec. 3

This Ordinance shall take effect
 from and after its Publication

Adopted Feb 2nd 1909
 Published in Clearwater Herald
 Feb 5th 1909

W. F. Shattuck
 N. L. Hart
 Recorder President

Ordinance No 3

An Ordinance to Prevent and Punish
Disorderly Conduct

The Village Council of the Village
of Clearwater do Ordain as follows

Sec 1 It shall be unlawful for any
person to conduct himself in a
Boisterous Profane Or Disorderly
Manner within the limits of said
Village of Clearwater

Sec 2 Any person violating the
Provisions of this Ordinance shall
upon conviction be punished by
fine not Exceeding One Hundred
Dollars and Cost of Prosecution
Or by Imprisonment in the
County Jail not Exceeding Sixty
Days This Ordinance to take
effect and be in force after
Publication thereof

Dated June 7th 1909

Published in the Clearwater
Herald June 11th 1909

A. L. Hart
Recorder

W. F. Shattuck
President

Ordinance No 4

An Ordinance Concerning Dogs
The Village Council of the Village
of Clearwater do Ordain as follows

Sec 1. That it shall be the duty
of every person owning or having
charge of any dog or bitch
within the corporate limits of the
Village of Clearwater to pay to the
Village Recorder in the month
of September in each and every
year a tax of One dollar for
every dog three months old or
over and Three dollars for every
bitch three months old or over

Sec 2. Every person shall be
considered as the owner of a dog
who shall harbor or let the same
habitually remain or be fed in
or about his or her house shop
store or enclosure

Sec 3 It shall be the duty of the
marshal or other person authorized on
the first Monday of September in
each year to post up in three public
places in the Village notices stating
that the tax on dogs is delinquent
if said tax is not paid within
ten days after the posting of notices
it shall be the duty of the marshal
or other person authorized to do so
to slay any dog or bitch running
at large upon which the tax is not
paid and the prudent use of firearms
for that purpose shall not be considered
a violation of any Ordinance of this Village

Sec 4 Any person owning any dog or bitch and allowing the same to run at large contrary to the provisions of this Ordinance or the allowing to run at large of any dog or bitch known to be fierce vicious or dangerous shall be liable to a fine of five dollars and cost of prosecution and shall pay for any damage which any such vicious dog or bitch may do.

Sec 5. It shall be the duty of the Village Recorder to keep a book in which shall be recorded the name of the owner and the name and description of each dog or bitch upon which the tax has been paid.

Sec 6 The Village Recorder shall be entitled to twenty five per cent of all taxes collected under this Ordinance the balance shall be paid into the Village Treasurer. This Ordinance to take effect and be in force after publication thereof dated June 7th 1909.

published in the Clearwater Herald June 11th 1909

A. L. Hart
Recorder

W. F. Shattuck
President

Ordinance No 5
an Ordinance for the prevention of offences against Public Safety

~~Sec 1~~ The Village Council of the Village of Clearwater do ordain as follows

Sec. 1 That no person shall discharge any firearms of any kind or description or fire or explode or set off any other explosive instrument substance or material within the limits of the Village of Clearwater without obtaining the written permission of the president of the Village Council thereto.

Sec 2 That no Boy or Girl or other person shall run any Velocipede Bicycle motorcycle or express wagons upon any sidewalk within the limits of the Village of Clearwater.

Sec 3 That no Boy or Girl or other person shall shoot with arrows or slingshots nor bat any ball stones or other missiles on any of the streets or alleys within the limits of the Village of Clearwater.

Sec 4 That any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding ten dollars and the cost of prosecution.

This Ordinance to take effect
and be in force after Publication
Thereof

Dated June 7th 1909
Published in the Clearwater
Herald June 11th 1909

A L Hort
Recorder

W F Shattuck
President

Section
An Ordinance relating to Peddlers
and Housers
The Village Council of the Village
of Clearwater do Ordain as follows

Section 1
No person shall peddle any Goods
wares or Commodities Merchandise
or Chattels within the Incorporated
limits of the Village of Clearwater
nor shall any person offer for sale
any such Commodities upon any
Street Alley or public Grounds in
said Village with out first
Obtaining a License therefore from
the Village Council of said Village
in accordance with Section Two
of this Ordinance Provided However
That this Ordinance shall not apply
to persons who shall peddle Goods
and Chattels raised and produced
by such persons

Section 2
License will be granted to peddlers
or Housers Goods wares Commodities
merchandise or Chattels within the
Incorporated limits of the Village
of Clearwater for one day for the sum
of Two dollars

Sec. 3 If any person not licensed
as a peddler or Houser as described
in the preceding sections peddle any
Goods wares Merchandise or Chattels
within the Incorporated limits of said
Village shall upon Conviction Thereof
be punished by a fine of not

less than one dollar nor more than ten dollars and cost of prosecution or in default of such payment be imprisoned in the County Jail not to exceed ten days This Ordinance to take effect and be in force after publication thereof

Dated June 7th 1909

Published in Clearwater Herald June 11th 1909

A. L. Hart
Recorder

W. F. Shattuck
President

Ordinance No 7
An Ordinance relating to Drunken-
-Ess

The Village Council of the Village of Clearwater do Ordain as follows
Section 1 Any person who shall be found in a state of open and notorious drunkenness within the Corporate limits of the Village of Clearwater shall upon conviction thereof be punished by a fine not less than five dollars nor more than ten dollars and cost of prosecution and upon default of payment of said fine and costs shall be imprisoned not exceeding ten days This Ordinance to take effect and be in force after publication thereof
Dated June 7th 1909

Published in Clearwater Herald June 11th 1909

A. L. Hart
Recorder

W. F. Shattuck
President

Ordinance no 4
An Ordinance to provide for the removal of all filth from the streets alleys lots and public grounds in the Village of Clearwater and for keeping the same clean and for regulating privy vaults

The Village Council of the Village of Clearwater do Ordain as follows

Sec 1 That all occupants of any lands or premises within the limits of the Village of Clearwater shall remove from the lots and premises so occupied by them and from the streets and alleys adjacent thereto all decayed or decaying animal or vegetable matter manure privy deposits hay straw ashes or other sources of filth and shall clean cleanse fill or remove all sinkholes drains and cesspools or privy vaults on the premises occupied by them within five days after being ordered to do so by the said Village Council

Sec 2. All owners of unoccupied lands and premises within the limits of the Village of Clearwater shall clean and remove all filth and offal from such premises and streets and alleys adjacent thereto at and within such time as the Village Council may direct

Sec 3 all persons having keeping or maintaining any Coloryard horse Pigger or yard for Cattle horses or other animals within the limits of the Village of Clearwater shall clean and remove from the same all manure and filth in such time as the Village Council may direct and shall remove such yards and pens whenever said Village Council may so direct

Sec 4 Any person who shall by himself or his agent through Haul or deposit upon any unoccupied lot in said Village any filth manure decayed animal or vegetable matter straw offal ashes or rubbish of any kind or commit or maintain any nuisance upon the lots streets alleys or public grounds in said Village or who shall neglect or refuse to comply with or shall violate the provisions of sections 1, 2, 3, and 4 of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall pay a fine of not less than five dollars nor more than twenty dollars and cost of prosecution and in default of payment thereof be imprisoned in the County Jail until such fine and costs are paid not exceeding thirty days

Sec 5 It shall be the duty of the Village Marshal when directed to do so by the Village Council to notify the owners or occupants to clean and cleanse the same and the streets and alleys adjacent thereto

and to make Complaint before a Justice of the Peace of all persons neglecting or refusing to comply with the provisions of this Ordinance and it is hereby made the duty of any Village Justice of the Peace to cause to be arrested and brought before him for trial all persons thus complained of by said Village Marshal

Sec. 6 If any person or persons shall neglect to remove as required by said Village Council or by sections 1, 2, and 3, of this Ordinance all substances mentioned therein or to do all cleaning as therein mentioned then it shall be the duty of the Village Marshal to remove when ordered by the Village Council all such substances and to do all such cleaning or to procure the same to be done and to keep an accurate account thereof and the description of the lots from which the same is removed and the amount of such cost shall be returned to the County Auditor and levied and assessed upon and become a part of and collected as the other taxes against the lots so cleaned this Ordinance to take effect and be in force after Publication thereof

Dated June 7 1909

Published in the Clearwater Herald
June 11th 1909

A. L. Hort
Recorder

W. F. Shattuck
President

Ordinance No 9

An Ordinance Prohibiting the playing of Base Ball also Field Sports of Every Description within the Corporate Limits of the Village of Clearwater on Memorial Day

The Village ^{Council} of Clearwater do Ordain as follows

Sec 1 That it shall be unlawful to play or Participate in any Game of Base Ball or any other Game or field Sports on Memorial Day within the Corporate Limits of the Village of Clearwater

Sec 2 Any Person convicted of Violating this Ordinance shall be Punished by a fine of not less than Five Dollars (5⁰⁰) nor more than Twenty Dollars (20⁰⁰) and Costs of Prosecution and upon failure to pay such fines and Costs by Imprisonment for not less than Five days nor more than Twenty days This Ordinance shall take effect and be in force after its Publication
Dated May 5th 1913

A. W. Raw

President of Council

Attest A. L. Hart

Village Recorder

Published May 9th 1913

In the Clearwater Herald

Ordinance No 10

An Ordinance Prohibiting Horses
being Tied On Streets Over Two Hours
Or Later than 10 O'clock P M

The Village Council of Clearwater do
Ordain as follows

Sec 1 That it will be unlawful for
any horse or team to be tied or left
standing on the streets in the Village
of Clearwater for more than two hours at
any one time nor later than 10 O'clock
P M

Sec 2 any Person convicted of violating
this Ordinance shall be Punished with
a fine of not less than One dollar ^{1.00}
and cost nor more than Five dollars ^{5.00}
and cost for the first offence of
fines of not less than Five dollars ^{5.00}
and cost nor more than ten dollars
^{10.00} and cost will be Levied against
all offenders of this Ordinance for
second offence

Sec 3 it shall be the duty of the
Marshal when informed of any team
or horse standing on the streets longer
than the prescribed time to take care
of said team or horse and to charge all
costs for stabling and feed to the
owner

This Ordinance shall take effect and
be in force after its Publication
adopted and approved this 1st day
of December

John Evans
President Pro tem

Attest A. L. Holt Recorder

Published See 5th 1913
in Clearwater Herald

ORDINANCE No. 11

TO AUTHORIZE THE ST. CLOUD WATER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ERECT POLES AND STRING WIRES FOR THE PURPOSE OF TRANSMITTING ELECTRICAL POWER AND ENERGY.

The Village Council of the Village of Clearwater do ordain:

SECTION 1: That the said village hereby grants unto the St. Cloud Water Power Company, a corporation duly organized, created and existing under the laws of the State of Minnesota, with its principal place of business at the City of St. Cloud, Stearns County, Minnesota, and to its successors and assigns, for twenty-five years from the date of the passage of this ordinance the right and privilege of erecting and maintaining a line of poles and wires for the carriage and transmission of electrical power and energy for the purpose of bringing the same into this village or carrying the same through this village to other points for use and distribution.

SECTION 2: Said Company is given the right to use such streets, alleys and public grounds of said village as it may find necessary for the purpose of erecting poles and stringing wires and cables to carry and convey such electricity, and for constructing conduits for the same, and shall also have the right to maintain in said village any and all stations, transformers and other appliances necessary to deliver electricity for distribution within said village.

SECTION 3: This grant shall vest in said Company, its successors and assigns, full power and license 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 Company, its successors and assigns, shall restore all streets, alleys and public grounds to their original condition so far as practicable, and all damage done by such excavations shall be repaired by said Company, and in case any obstruction caused by said Company shall remain longer than five (5) days after written notice to remove the same, or in case of neglect on the part of said St. Cloud Water Power Company to protect any dangerous place by proper guards and signals, then said Village may remove or protect the same at

the cost of said Company.

SECTION 4: That in erecting wires, poles and other structures, said Company shall conform to all reasonable regulations prescribed by the Village Council of said Village to prevent unnecessary injury to the streets, alleys, sidewalks and public places, and shall not interfere with or change or injure any water pipes, drains or sewers of said Village.

SECTION 5: The poles and wires of said Company shall be placed and maintained so as not to interfere with ordinary travel in said streets, alleys and public places, and said Company shall hold said Village free and harmless from all damages arising by reason of any abuse and negligence of said Company, or any acts thereof. Said poles shall be so placed as not to interfere with the flow of water in any sewer, drain or gutter, or with any Company having previous rights, and in case of bringing to grade or change of grade of any street or alley, or construction of curb, pavement or sidewalk thereon, said poles shall be re-set by said Company so as to conform thereto if necessary, but said village shall pay one-half of the expense of such re-setting.

SECTION 6: The right of use here given shall not be exclusive, and said Village reserves the power to grant like right of use to others for similar uses; the same, however, not to interfere with the proper exercise of the privileges herein granted.

SECTION 7: Any person who shall interfere or meddle with, or in any way injure the poles, wires or other fixtures belonging to or appertaining to or connected with the transmission line of this Company 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 offense.

SECTION 8: This ordinance shall take effect and be in force from and after its passage and publication.

Passed at a Special meeting of the Village Council of said Village held on the 17th day of October, A. D. 1916.

P. A. LEME,

President of the Village Council of the Village of Clearwater, Minnesota.

(Corporate Seal Village of Clearwater, Minnesota.)

Attest:

A. L. HART,

Village Recorder.

Published October 26th, 1916

ST. CLOUD WATER POWER COMPANY

By

A. L. Hart
Its President.

Attest:

P. A. Leme
Assistant Secretary.

P-MG

Filed Nov 9 1916

*A. L. Hart
Recorder*

ORDINANCE NO. 11.

TO AUTHORIZE THE ST. CLOUD WATER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ERECT POLES AND STRING WIRES FOR THE PURPOSE OF TRANSMITTING ELECTRICAL POWER AND ENERGY.

The Village Council of the Village of Clearwater do ordain:

SECTION 1: That the said village hereby grants unto the St. Cloud Water Power Company, a corporation duly organized, created and existing under the laws of the State of Minnesota, with its principal place of business at the City of St. Cloud, Stearns County, Minnesota, and to its successors and assigns, for twenty-five years from the date of the passage of this ordinance the right and privilege of erecting and maintaining a line of poles and wires for the carriage and transmission of electrical power and energy for the purpose of bringing the same into this village or carrying the same through this village to other points for use and distribution.

SECTION 2: Said Company is given the right to use such streets, alleys and public grounds of said village as it may find necessary for the purpose of erecting poles and stringing wires and cables to carry and convey such electricity, and for constructing conduits for the same, and shall also have the right to maintain in said village any and all stations, transformers and other appliances necessary to deliver electricity for distribution within said village.

SECTION 3: This grant shall vest in said Company, its successors and assigns, full power and license 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 Company, its successors and assigns, shall restore all streets, alleys and public grounds to their original condition so far as practicable, and all damage done by such excavations

ST. CLOUD WATER POWER COMPANY
ST. CLOUD, MINNESOTA

November 6, 1916.

TO THE VILLAGE COUNCIL OF THE
VILLAGE OF CLEARWATER, MINNESOTA.

Mr. P. A. Leme, President.
Mr. A. L. Hart, Recorder.

Gentlemen:

Referring to Ordinance No. 11, entitled "To authorize the St. Cloud Water Power Company, its successors and assigns, to erect poles and string wires for the purpose of transmitting electrical power and energy", passed at a Special Meeting of your council, held on the 17th day of October, A. D. 1916, would say that we do hereby accept said Ordinance as passed.

Please have your village recorder file this acceptance with the original of said Ordinance of file in his office.

We enclose herewith certificate to be signed by the village recorder and sealed with the corporate seal of your village and return to us for our files.

Yours very truly,

ST. CLOUD WATER POWER COMPANY

By A. L. Hart
Its President.

Attest: P. K. Bellinger
Assistant Secretary.

P-MG

Filed Nov 9 1916

*A. L. Hart
Recorder*

ORDINANCE NO. 11.

TO AUTHORIZE THE ST. CLOUD WATER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ERECT POLES AND STRING WIRES FOR THE PURPOSE OF TRANSMITTING ELECTRICAL POWER AND ENERGY.

The Village Council of the Village of Clearwater do ordain:

SECTION 1: That the said village hereby grants unto the St. Cloud Water Power Company, a corporation duly organized, created and existing under the laws of the State of Minnesota, with its principal place of business at the City of St. Cloud, Stearns County, Minnesota, and to its successors and assigns, for twenty-five years from the date of the passage of this ordinance the right and privilege of erecting and maintaining a line of poles and wires for the carriage and transmission of electrical power and energy for the purpose of bringing the same into this village or carrying the same through this village to other points for use and distribution.

SECTION 2: Said Company is given the right to use such streets, alleys and public grounds of said village as it may find necessary for the purpose of erecting poles and stringing wires and cables to carry and convey such electricity, and for constructing conduits for the same, and shall also have the right to maintain in said village any and all stations, transformers and other appliances necessary to deliver electricity for distribution within said village.

SECTION 3: This grant shall vest in said Company, its successors and assigns, full power and license 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 Company, its successors and assigns, shall restore all streets, alleys and public grounds to their original condition so far as practicable, and all damage done by such excavations

ORDINANCE NO. 11.

TO AUTHORIZE THE ST. CLOUD WATER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ERECT POLES AND STRING WIRES FOR THE PURPOSE OF TRANSMITTING ELECTRICAL POWER AND ENERGY.

The Village Council of the Village of Clearwater do ordain:

SECTION 1: That the said village hereby grants unto the St. Cloud Water Power Company, a corporation duly organized, created and existing under the laws of the State of Minnesota, with its principal place of business at the City of St. Cloud, Stearns County, Minnesota, and to its successors and assigns, for twenty-five years from the date of the passage of this ordinance the right and privilege of erecting and maintaining a line of poles and wires for the carriage and transmission of electrical power and energy for the purpose of bringing the same into this village or carrying the same through this village to other points for use and distribution.

SECTION 2: Said Company is given the right to use such streets, alleys and public grounds of said village as it may find necessary for the purpose of erecting poles and stringing wires and cables to carry and convey such electricity, and for constructing conduits for the same, and shall also have the right to maintain in said village any and all stations, transformers and other appliances necessary to deliver electricity for distribution within said village.

SECTION 3: This grant shall vest in said Company, its successors and assigns, full power and license 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 Company, its successors and assigns, shall restore all streets, alleys and public grounds to their original condition so far as practicable, and all damage done by such excavations

shall be repaired by said Company, and in case any obstruction caused by said Company shall remain longer than five (5) days after written notice to remove the same, or in case of neglect on the part of said St. Cloud Water Power Company to protect any dangerous place by proper guards and signals, then said Village may remove or protect the same at the cost of said Company.

SECTION 4: That in erecting wires, poles and other structures, said Company shall conform to all reasonable regulations prescribed by the Village Council of said Village to prevent unnecessary injury to the streets, alleys, sidewalks and public places, and shall not interfere with or change or injure any water pipes, drains or sewers of said Village.

SECTION 5: The poles and wires of said Company shall be placed and maintained so as not to interfere with ordinary travel in said streets, alleys and public places, and said Company shall hold said Village free and harmless from all damages arising by reason of any abuse and negligence of said Company, or any acts thereof, Said poles shall be so placed as not to interfere with the flow of water in any sewer, drain or gutter, or with any Company having previous rights, and in case of bringing to grade or change of grade of any street or alley, or construction of curb, pavement or sidewalk thereon, said poles shall be re-set by said Company so as to conform thereto if necessary, but said village shall pay one-half of the expense of such re-setting.

SECTION 6: The right of use here given shall not be exclusive, and said Village reserves the power to grant like right of use to others for similar uses; the same, however, not to interfere with the proper exercise of the privileges herein granted.

SECTION 7: Any person who shall interfere or meddle with, or in any way injure the poles, wires or other fixtures belonging to or appertaining to or connected with the transmission line of

this Company 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 offense.

SECTION 8: This ordinance shall take effect and be in force from and after its passage and publication.

Passed at a Special meeting of the Village Council of said Village held on the 17th day of October A.D. 1916.

P. A. Seavey
President of the Village Council of
the Village of Clearwater, Minnesota.

Attest:

A. L. Hart
Village Recorder.

ORDINANCE NO. 12.

AN ORDINANCE GRANTING TO THE LIGHT AND POWER COMPANY OF ST. CLOUD, MINNESOTA, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND AUTHORITY TO ERECT, CONSTRUCT, INSTALL AND MAINTAIN AN ELECTRIC LIGHTING, HEATING AND POWER PLANT AND TO OPERATE AND MAINTAIN THE SAME WITHIN THE LIMITS OF THE VILLAGE OF CLEARWATER, WRIGHT COUNTY, MINNESOTA; AND TO ERECT, CONSTRUCT, INSTALL AND MAINTAIN POLES, WIRES, CONDUITS, TUNNELS AND OTHER FIXTURES IN, UPON, OVER, ACROSS, OR UNDER THE STREETS, ALLEYS, BRIDGES AND PUBLIC GROUNDS OF SAID VILLAGE, FOR THE PURPOSE OF FURNISHING ELECTRIC LIGHT, HEAT AND POWER TO SAID VILLAGE AND THE INHABITANTS THEREOF.

The Village Council of the Village of Clearwater do ordain:

SECTION 1.

That, in consideration of the benefits to be derived by the inhabitants of said Village of Clearwater, from the establishment of an electric lighting, heating and power system, there is hereby granted to THE LIGHT AND POWER COMPANY OF ST. CLOUD, MINNESOTA, a corporation duly organized, created and existing under the laws of the State of Minnesota, its successors and assigns, hereinafter called the GRANTEE, the right, privilege and authority to erect, construct, install and maintain an electric lighting, heating and power plant or transformer station, or both, and to operate and maintain the same within the limits of the Village of Clearwater, in Wright County, Minnesota, as the same now exists, or may be hereafter extended, for a period of twenty-five (25) years from and after the date of the passage, publication and approval of this ordinance, and for that purpose during said period to erect, construct, install and maintain in, upon, across, or under the several streets, alleys, bridges, public grounds and places of said Village, all conduits, tunnels, poles, wires, cables, lamps, pipes, fixtures and appliances necessary, convenient or proper to carry on the business of manufacturing, furnishing and supplying electricity, heat and power to the said Village and the inhabitants thereof, and to obtain said power either from a plant located in said Village or over transmission lines from

itself or other companies.

SECTION 2.

That for the purpose of erecting, constructing, installing, maintaining and operating said electric lighting, heating and power plant and system said Grantee may enter upon the streets, alleys, bridges, public grounds and places of said Village and make such excavations and erect such poles and fixtures as may be necessary and convenient, and in such places as the Village Council of said Village shall designate, provided that such work shall be done in such manner as to cause as little inconvenience as possible to the public and will not interfere with the sewers, water mains, pipes or hydrants on the streets in said Village, and provided that any excavation made by said Grantee as aforesaid shall remain open no longer than necessary and that said Grantee shall properly protect the same when open and shall so fill and repair the same as to leave the streets, alleys, bridges, public grounds or places in so far as possible in as good condition as before such excavation was made, and provided further that said Grantee, its successors and assigns, agents, servants, and employes shall be responsible for any and all legal damage or injury to the said Village or to any individual caused by any negligence on the part of said Grantee, or of its agents, servants or employes, in the construction, management or maintenance of said system of electric light, heating and power service, and shall indemnify said Village for any recovery against it or loss suffered by reason of such negligence.

SECTION 3.

That all conduits, poles, pipes, wires and fixtures installed by virtue of this ordinance shall be erected in such places and in such manner as not to unnecessarily encroach upon the streets, alleys, bridges or public grounds of said Village and so as not to obstruct or impair the use thereof for the ordinary purpose of travel thereon, and when any poles or other

equipment shall be placed contrary to the terms of this section, and provided said Grantee does not cause their removal within a reasonable time after written notice from said Village Council so to do, the Village Council of said Village may cause the removal thereof and shall collect from said Grantee the actual cost of said removal, but so long as the terms of this section are fully complied with by said Grantee, its successors or assigns, it may place necessary poles, equipment and fixtures where best suited to the conduct, development and operation of said plant and system, provided, however, that alleys shall be used wherever practicable instead of streets.

SECTION 4.

That when any street, alley, bridge or public place, upon which or in which any poles of said Grantee have been placed shall be graded, curbed, paved or otherwise changed so as to make the resetting or reconstruction of such poles necessary, said Grantee, its successors or assigns, shall make such necessary change in construction, but the cost of such change shall be paid one-half by said Grantee and one-half by said Village. Should it become necessary for said Grantee to use conduits or other fixtures, they are to be installed only after permanent grades are established, and shall be so located as not to interfere with any street improvement such as sewers, water mains, pipes, hydrants or boulevards in said Village.

SECTION 5.

That in case any person desires to move a building along streets crossed by the wires of said Grantee, and it becomes necessary to have said wires temporarily raised or removed for the purpose of the passage of such building, the Grantee shall be entitled to forty-eight (48) hours notice in writing to that effect and when such notice has been received by said Grantee it shall be the duty of said Grantee to remove or raise such wires so as to permit the passage of such building upon the

payment by the person desiring the same of the reasonable cost and damage resulting from the removing or change of such wires by said Grantee, but said Grantee shall not be required to make such change or removal except at a reasonable time of day.

SECTION 6.

That in consideration of the rights and privileges hereby granted, said Grantee hereby agrees that, unless it shall be prevented, wholly or in part, by fire, explosion, flood, strike, unavoidable accident, Federal, State or Municipal interference, or other cause not reasonably within its control, it will furnish daily twenty-four hour service, except during the day on Sundays when necessary to cut off service for repairs, and to maintain a constant and efficient service as above stated, and comply with all the provisions of this ordinance, from and after the 1st day of October, A.D. 1917, of electric energy for light, heat and power and other purposes to said Village and its inhabitants at the following rates, to-wit:

ELECTRIC LIGHT METER RATES.

0-100 kilowatt hours per month at 16 cents per kilowatt hour.
101-200 kilowatt hours per month at 14 cents per kilowatt hour.
201-500 kilowatt hours per month at 12 cents per kilowatt hour.
Above 500 kilowatt hours per month at $8\frac{1}{2}$ cents per kilowatt hour.

Minimum monthly bill \$1.00, no discount.

One cent per kilowatt hour discount if paid on or before the tenth of the month next following.

ELECTRIC POWER METER RATES.

0-500 kilowatt hours per month at \$.085 per kilowatt hour.
501-1000 " " " " at \$.077 per kilowatt hour.
Above 1000 " " " " at \$.066 per kilowatt hour.

One cent per kilowatt hour discount if paid on or before the tenth of the month next following.

Minimum charge for all motors installed of one horse power or over, \$1.00 per horse power connected per month (no discount.).

Provided, however, that the rate for lighting purposes to the inhabitants of said Village as above set forth under "Electric Light Meter Rates" after two years from the date current is first turned on will be reduced to thirteen (13) cents per kilowatt hour for the first two hundred (200) kilowatt hours per month, and

to eleven (11) cents per kilowatt hour from two hundred one (201) to five hundred (500) kilowatt hours per month, all other rates to remain as above set forth and all to be subject to the one cent (1¢) per kilowatt hour discount for the prompt payment of bills.

That the said Grantee, its successors and assigns, shall furnish the said Village of Clearwater electric light from dusk until dawn for municipal purposes for its streets, squares and public places, at the following rates, vix:

250 Candlepower lamps at \$60.00 per year, net, per lamp.
100 Candlepower lamps at \$28.00 per year, net, per lamp.

Bills to be paid on or before the tenth of the month next following. The installation of said lights shall be made and maintained by the said Grantee at its own expense.

SECTION 7.

The said Grantee shall be permitted to install and use such meters of approved standard make as it considers advisable, but the Village Council of said Village of Clearwater reserves the right to inspect said meters at any time, and, if any be found unreliable, such shall be immediately taken out and replaced by said Grantee at the request of said Council.

SECTION 8.

Said Village of Clearwater shall have the privilege of buying said system of electric service, located therein, at such times and in such manner as is now or may hereafter be provided by law.

SECTION 9.

Any person who shall interfere or meddle with, or in any way damage the electric light, heating and power system of said Grantee, or any lamp, post, glass case, conduit, meter or fixture belonging to, appertaining to or connected with said work or said plant, shall be guilty of a misdemeanor and shall be fined not less than one dollar nor more than twenty dollars for such

offense, and in default of the payment of such fine be imprisoned for a period of not more than ten days.

SECTION 10.

It is agreed between the parties hereto that this ordinance, before the passage hereof, has been submitted to said Grantee and that the same has been approved by it and constitutes a contract between said Grantee and the said Village of Clearwater from and after its passage and publication. Within thirty (30) days from and after the publication of this ordinance said Grantee shall file with the Village Recorder of said Village of Clearwater a written acceptance of the same.

SECTION 11.

This ordinance shall take effect and be in force from and after its passage and publication and the due filing of acceptance thereof by said Grantee.

Section 12.

All ordinances and parts of ordinances inconsistent herewith are hereby expressly repealed.

The foregoing ordinance was duly passed and adopted at a Special meeting of the Village Council of the Village of Clearwater, Wright County, Minnesota, on the 17th day of October A.D. 1916.

P. A. Linn
President of the Village Council
of the Village of Clearwater,
Minnesota.

Attest:

A. L. Hart
Village Recorder.

ORDINANCE No. 11

TO AUTHORIZE THE ST. CLOUD WATER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ERECT POLES AND STRING WIRES FOR THE PURPOSE OF TRANSMITTING ELECTRICAL POWER AND ENERGY.

The Village Council of the Village of Clearwater do ordain:

SECTION 1: That the said village hereby grants unto the St. Cloud Water Power Company, a corporation duly organized, created and existing under the laws of the State of Minnesota, with its principal place of business at the City of St. Cloud, Stearns County, Minnesota, and to its successors and assigns, for twenty-five years from the date of the passage of this ordinance the right and privilege of erecting and maintaining a line of poles and wires for the carriage and transmission of electrical power and energy for the purpose of bringing the same into this village or carrying the same through this village to other points for use and distribution.

SECTION 2: Said Company is given the right to use such streets, alleys and public grounds of said village as it may find necessary for the purpose of erecting poles and stringing wires and cables to carry and convey such electricity, and for constructing conduits for the same, and shall also have the right to maintain in said village any and all stations, transformers and other appliances necessary to deliver electricity for distribution within said village.

SECTION 3: This grant shall vest in said Company, its successors and assigns, full power and license 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 Company, its successors and assigns, shall restore all streets, alleys and public grounds to their original condition so far as practicable, and all damage done by such excavations shall be repaired by said Company, and in case any obstruction caused by said Company shall remain longer than five (5) days after written notice to remove the same, or in case of neglect on the part of said St. Cloud Water Power Company to protect any dangerous place by proper guards and signals, then said Village may remove or protect the same at

the cost of said Company.

SECTION 4: That in erecting wires, poles and other structures, said Company shall conform to all reasonable regulations prescribed by the Village Council of said Village to prevent unnecessary injury to the streets, alleys, sidewalks and public places, and shall not interfere with or change or injure any water pipes, drains or sewers of said Village.

SECTION 5: The poles and wires of said Company shall be placed and maintained so as not to interfere with ordinary travel in said streets, alleys and public places, and said Company shall hold said Village free and harmless from all damages arising by reason of any abuse and negligence of said Company, or any acts thereof. Said poles shall be so placed as not to interfere with the flow of water in any sewer, drain or gutter, or with any Company having previous rights, and in case of bringing to grade or change of grade of any street or alley, or construction of curb, pavement or sidewalk thereon, said poles shall be re-set by said Company so as to conform thereto if necessary, but said village shall pay one-half of the expense of such re-setting.

SECTION 6: The right of use here given shall not be exclusive, and said Village reserves the power to grant like right of use to others for similar uses; the same, however, not to interfere with the proper exercise of the privileges herein granted.

SECTION 7: Any person who shall interfere or meddle with, or in any way injure the poles, wires or other fixtures belonging to or appertaining to or connected with the transmission line of this Company 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 offense.

SECTION 8: This ordinance shall take effect and be in force from and after its passage and publication.

Passed at a Special meeting of the Village Council of said Village held on the 17th day of October, A. D. 1916.

P. A. LEME,

President of the Village Council of the Village of Clearwater, Minnesota.

(Corporate Seal Village of Clearwater, Minnesota.)

Attest:

A. L. HART,
Village Recorder.

Published October 26th, 1916

ST. CLOUD WATER POWER COMPANY

By A. L. Hart
Its President.

Attest: P. A. Leme
Assistant Secretary.

P-MG

Filed Nov 9 1916

A. L. Hart
Recorder

ORDINANCE No. 12

AN ORDINANCE GRANTING TO THE LIGHT AND POWER COMPANY OF ST. CLOUD, MINNESOTA, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND AUTHORITY TO ERECT, CONSTRUCT, INSTALL AND MAINTAIN AN ELECTRIC LIGHTING, HEATING AND POWER PLANT AND TO OPERATE AND MAINTAIN THE SAME WITHIN THE LIMITS OF THE VILLAGE OF CLEARWATER, WRIGHT COUNTY, MINNESOTA; AND TO ERECT, CONSTRUCT, INSTALL AND MAINTAIN POLES, WIRES, CONDUITS, TUNNELS AND OTHER FIXTURES IN, UPON, OVER, ACROSS, OR UNDER THE STREETS, ALLEYS, BRIDGES AND PUBLIC GROUNDS OF SAID VILLAGE, FOR THE PURPOSE OF FURNISHING ELECTRIC LIGHT, HEAT AND POWER TO SAID VILLAGE AND THE INHABITANTS THEREOF.

The Village Council of the Village of Clearwater do ordain:

SECTION 1.

That, in consideration of the benefits to be derived by the inhabitants of said Village of Clearwater, from the establishment of an electric lighting, heating and power system, there is hereby granted to THE LIGHT AND POWER COMPANY OF ST. CLOUD, MINNESOTA, a corporation duly organized, created and existing under the laws of the State of Minnesota, its successors and assigns, herein after called the GRANTEE, the right, privilege and authority to erect, construct, install and maintain an electric lighting, heating and power plant or transformer station, or both, and to operate and maintain the same within the limits of the Village of Clearwater, in Wright County, Minnesota, as the same now exists, or may be hereafter extended, for a period of twenty-five (25) years from and after the date of the passage, publication and approval of this ordinance, and for that purpose during said period to erect, construct, install and maintain in, upon, across, or under the several streets, alleys, bridges, public grounds and places of said Village, all conduits, tunnels, poles, wires, cables, lamps, pipes, fixtures and appliances necessary, convenient or proper to carry on the business of manufacturing, furnishing and supplying electricity, heat and power to the said Village and the inhabitants thereof, and to obtain said power either from a plant located in said Village or over transmission lines from itself or other companies.

SECTION 2.

That for the purpose of erecting, constructing, installing, maintaining and operating said electric lighting, heating and power plant and system said Grantee may enter upon the streets, alleys, bridges, public grounds and places of said Village and make such excavations and erect such poles and fixtures as may be necessary and convenient, and in such places as the Village Council of said Village shall designate, provided that such work shall be done in such manner as to cause as little inconvenience as possible to the public and will not interfere with the sewers, water mains, pipes or hydrants on the streets in said Village, and provided that any excavation made by said Grantee as aforesaid shall remain open no longer than necessary and that said Grantee shall properly protect the same when open and shall so fill and repair the same as to leave the streets, alleys, bridges, public grounds or places in so far as possible in as good condition as before such excavation was made, and provided further that said Grantee, its successors and assigns, agents, servants, and employees shall be responsible for any and all legal damage or injury to the said Village or to any individual caused by any negligence on the part of said Grantee, or of its agents, servants or employees, in the construction, management or maintenance of said system of electric light, heating and power service, and shall indemnify said Village for any recovery against it or loss suffered by reason of such negligence.

SECTION 3.

That all conduits, poles, pipes, wires

and fixtures installed by virtue of this ordinance shall be erected in such places and in such manner as not to unnecessarily encroach upon the streets, alleys, bridges or public grounds of said Village and so as not to obstruct or impair the use thereof for the ordinary purpose of travel thereon, and when any poles or other equipment shall be placed contrary to the terms of this section, and provided said Grantee does not cause their removal within a reasonable time after written notice from said Village Council so to do, the Village Council of said Village may cause the removal thereof and shall collect from said Grantee the actual cost of said removal, but so long as the terms of this section are fully complied with by said Grantee, its successors or assigns, it may place necessary poles, equipment and fixtures where best suited to the conduct, development and operation of said plant and system, provided, however, that alleys shall be used wherever practicable instead of streets.

SECTION 4.

That when any street, alley, bridge or public place, upon which or in which any poles of said Grantee have been placed shall be graded, curbed, paved or otherwise changed so as to make the resetting or reconstruction of such poles necessary, said Grantee, its successors or assigns, shall make such necessary change in construction, but the cost of such change shall be paid one-half by said Grantee and one-half by said Village. Should it become necessary for said Grantee to use conduits or other fixtures, they are to be installed only after permanent grades are established, and shall be so located as not to interfere with any street improvement such as sewers, water mains, pipes, hydrants or boulevards in said Village.

SECTION 5.

That in case any person desires to move a building along streets crossed by the wires of said Grantee, and it becomes necessary to have said wires temporarily raised or removed for the purpose of the passage of such building, the Grantee shall be entitled to forty-eight (48) hours' notice in writing to that effect and when such notice has been received by said Grantee it shall be the duty of said Grantee to remove or raise such wires so as to permit the passage of such building upon the payment by the person desiring the same of the reasonable cost and damage resulting from the removing or change of such wires by said Grantee, but said Grantee shall not be required to make such change or removal except at a reasonable time of day.

SECTION 6.

That in consideration of the rights and privileges hereby granted, said Grantee hereby agrees that, unless it shall be prevented, wholly or in part, by fire, explosion, flood, strike, unavoidable accident, Federal, State or Municipal interference, or other cause not reasonably within its control, it will furnish daily twenty-four hour service, except during the day on Sundays when necessary to cut off service for repairs, and to maintain a constant and efficient service as above stated, and comply with all the provisions of this ordinance, from and after the 1st day of October, A. D. 1917, of electric energy for light, heat and power and other purposes to said Village and its inhabitants at the following rates, to-wit:

ELECTRIC LIGHT METER RATES.

0-100 kilowatt hours per month at 16 cents per kilowatt hour.

101-200 kilowatt hours per month at 14 cents per kilowatt hour.

201-500 kilowatt hours per month at 12 cents per kilowatt hour.

Above 500 kilowatt hours per month at 8½ cents per kilowatt hour.

Minimum monthly bill \$1.00, no discount.

One cent per kilowatt hour discount if paid on or before the tenth of the month next following.

ELECTRIC POWER METER RATES.

0-500 kilowatt hours per month at \$.085 per kilowatt hour.

501-1000 kilowatt hours per month at \$.077 per kilowatt hour.

Above 1000 kilowatt hours per month at \$.066 per kilowatt hour.

One cent per kilowatt hour discount if paid on or before the tenth of the month next following.

Minimum charge for all motors installed of one horse power or over, \$1.00 per horse power connected per month (no discount).

Provided, however, that the rate for lighting purposes to the inhabitants of said Village as above set forth under "Electric Light Meter Rates" after two years from the date current is first turned on will be reduced to thirteen (13) cents per kilowatt hour for the first two hundred (200) kilowatt hours per month, and to eleven (11) cents per kilowatt hour from two hundred one (201) to five hundred (500) kilowatt hours per month, all other rates to remain as above set forth and all to be subject to the one cent (1c) per kilowatt hour discount for the prompt payment of bills.

That the said Grantee, its successors and assigns, shall furnish the said Village of Clearwater electric light from dusk until dawn for municipal purposes for its streets, squares and public places, at the following rates, viz:

250 Candlepower lamps at \$60.00 per year, net, per lamp.

100 Candlepower lamps at \$28.00 per year, net, per lamp.

Bills to be paid on or before the tenth of the month next following. The installation of said lights shall be made and maintained by the said Grantee at its own expense.

SECTION 7.
The said Grantee shall be permitted to install and use such meters of approved standard make as it considers advisable, but the Village Council of said Village of Clearwater reserves the right to inspect said meters at any time, and, if any be found unreliable, such shall be immediately taken out and replaced by said Grantee at the request of said Council.

SECTION 8.
Said Village of Clearwater shall have the privilege of buying said system of electric service, located therein, at such times and in such manner as is now or may hereafter be provided by law.

SECTION 9.
Any person who shall interfere or meddle with, or in any way damage the electric light, heating and power system of said Grantee, or any lamp, post, glass case, conduit, meter or fixture belonging to, appertaining to or connected with said work or said plant, shall be guilty of a misdemeanor and shall be fined not less than one dollar nor more than twenty dollars for such offense, and in default of the payment of such fine be imprisoned for a period of not more than ten days.

SECTION 10.
It is agreed between the parties hereto that this ordinance, before the passage hereof, has been submitted to said Grantee and that the same has been approved by it and constitutes a contract between said Grantee and the said Village of Clearwater from and after its passage and publication. Within thirty (30) days from and after the publication of this ordinance said Grantee shall file with the Village Recorder of said Village of Clearwater a written acceptance of the same.

SECTION 11.
This ordinance shall take effect and be in force from and after its passage and publication and the due filing of acceptance thereof by said Grantee.

SECTION 12.
All ordinances and parts of ordinances inconsistent herewith are hereby expressly repealed.

The foregoing ordinance was duly passed and adopted at a Special meeting of the Village Council of the Village of Clearwater, Wright County, Minnesota, on the 17th day of October, A. D. 1916.

P. A. LEME,
President of the Village Council of the Village of Clearwater, Minnesota.

(Corporate Seal, Village of Clearwater, Minnesota.)

Attest:

A. L. HART,
Village Recorder.

Published October 26th, 1916

ORDINANCE No. 11

TO AUTHORIZE THE ST. CLOUD WATER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ERECT POLES AND STRING WIRES FOR THE PURPOSE OF TRANSMITTING ELECTRICAL POWER AND ENERGY.

The Village Council of the Village of Clearwater do ordain:

SECTION 1: That the said village hereby grants unto the St. Cloud Water Power Company, a corporation duly organized, created and existing under the laws of the State of Minnesota, with its principal place of business at the City of St. Cloud, Stearns County, Minnesota, and to its successors and assigns, for twenty-five years from the date of the passage of this ordinance the right and privilege of erecting and maintaining a line of poles and wires for the carriage and transmission of electrical power and energy for the purpose of bringing the same into this village or carrying the same through this village to other points for use and distribution.

SECTION 2: Said Company is given the right to use such streets, alleys and public grounds of said village as it may find necessary for the purpose of erecting poles and stringing wires and cables to carry and convey such electricity, and for constructing conduits for the same, and shall also have the right to maintain in said village any and all stations, transformers and other appliances necessary to deliver electricity for distribution within said village.

SECTION 3: This grant shall vest in said Company, its successors and assigns, full power and license 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 Company, its successors and assigns, shall restore all streets, alleys and public grounds to their original condition so far as practicable, and all damage done by such excavations shall be repaired by said Company, and in case any obstruction caused by said Company shall remain longer than five (5) days after written notice to remove the same, or in case of neglect on the part of said St. Cloud Water Power Company to protect any dangerous place by proper guards and signals, then said Village may remove or protect the same at

the cost of said Company.

SECTION 4: That in erecting wires, poles and other structures, said Company shall conform to all reasonable regulations prescribed by the Village Council of said Village to prevent unnecessary injury to the streets, alleys, sidewalks and public places, and shall not interfere with or change or injure any water pipes, drains or sewers of said Village.

SECTION 5: The poles and wires of said Company shall be placed and maintained so as not to interfere with ordinary travel in said streets, alleys and public places, and said Company shall hold said Village free and harmless from all damages arising by reason of any abuse and negligence of said Company, or any acts thereof. Said poles shall be so placed as not to interfere with the flow of water in any sewer, drain or gutter, or with any Company having previous rights, and in case of bringing to grade or change of grade of any street or alley, or construction of curb, pavement or sidewalk thereon, said poles shall be re-set by said Company so as to conform thereto if necessary, but said village shall pay one-half of the expense of such re-setting.

SECTION 6: The right of use here given shall not be exclusive, and said Village reserves the power to grant like right of use to others for similar uses; the same, however, not to interfere with the proper exercise of the privileges herein granted.

SECTION 7: Any person who shall interfere or meddle with, or in any way injure the poles, wires or other fixtures belonging to or appertaining to or connected with the transmission line of this Company 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 offense.

SECTION 8: This ordinance shall take effect and be in force from and after its passage and publication.

Passed at a Special meeting of the Village Council of said Village held on the 17th day of October, A. D. 1916.

P. A. LEME,

President of the Village Council of the Village of Clearwater, Minnesota.

(Corporate Seal Village of Clearwater, Minnesota.)

Attest:

A. L. HART,
Village Recorder.

Published October 26th, 1916

ST. CLOUD WATER POWER COMPANY

By A. L. Hart
Its President.

Attest: P. A. Leme
Assistant Secretary.

P-MG

Filed Nov 9 1916

A. L. Hart
Recorder

THE LIGHT AND POWER CO. OF ST. CLOUD, MINNESOTA

PRESIDENT'S OFFICE

St. Cloud, Minnesota.
November 6, 1916.

TO THE VILLAGE COUNCIL OF THE
VILLAGE OF CLEARWATER, MINNESOTA.

Mr. P. A. Leme, President.
Mr. A. L. Hart, Recorder.

Gentlemen:

Referring to Ordinance No. 12, passed at a Special Meeting of your council, held on the 17th day of October, A. D. 1916, wherein and whereby you grant to The Light and Power Company of St. Cloud, Minnesota, a corporation, the right, privilege and authority to erect, construct, install and maintain an electric lighting, heating and power plant and to operate and maintain the same within the limits of your village, for the purpose of furnishing electric light, heat and power to your village and its inhabitants, would say that in pursuance of and in accordance with Section 10 of said Ordinance we do hereby accept said ordinance as passed.

Please have your village recorder file this acceptance with the original of said Ordinance on file in his office.

We enclose herewith certificate to be signed by the village recorder and sealed with the corporate seal of your village and return to us for our files.

Yours very truly,

THE LIGHT AND POWER COMPANY OF
ST. CLOUD, MINNESOTA.

By A. L. Hart
Its President.

Attest: P. A. Leme
Its Secretary.

P-MG

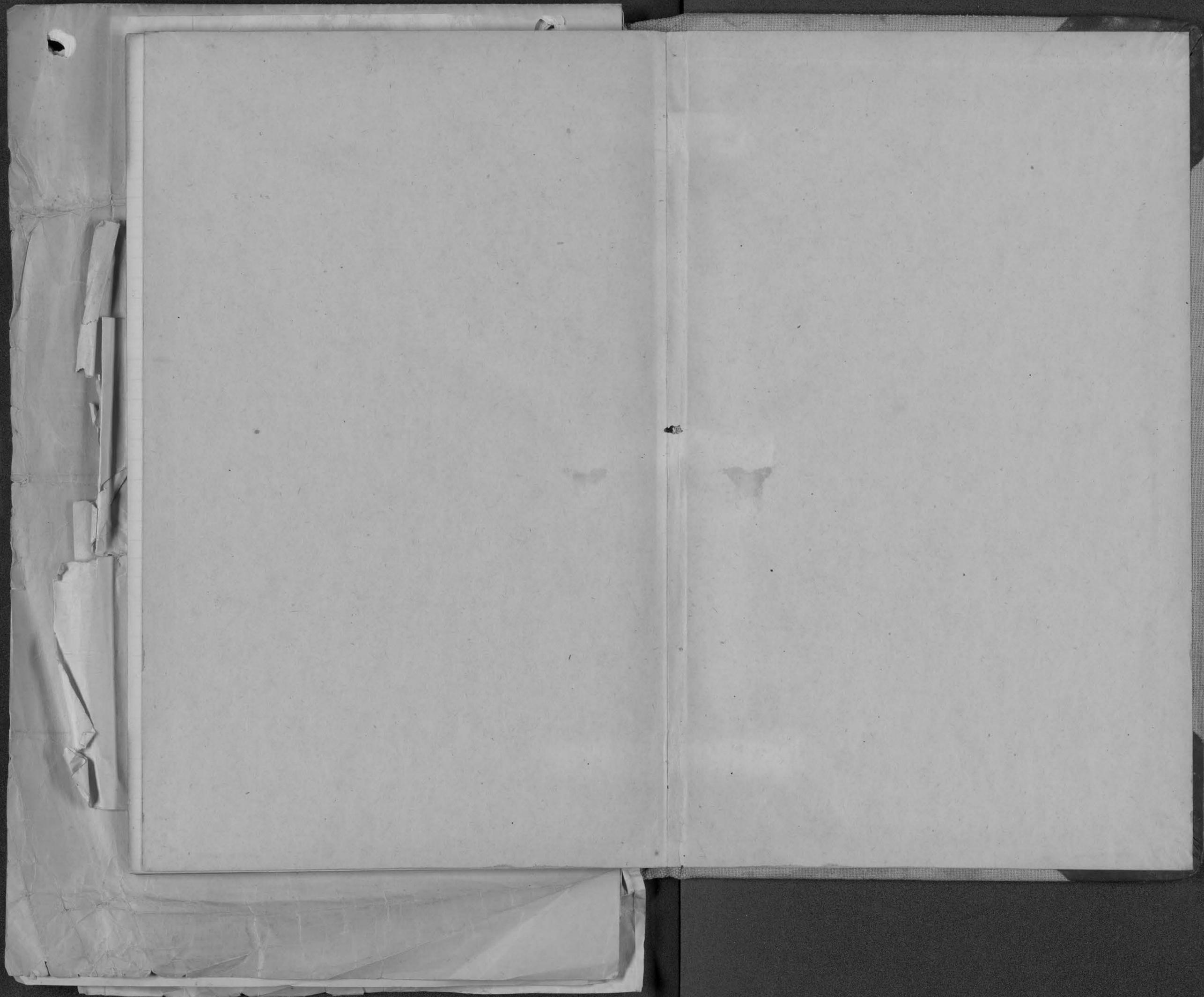
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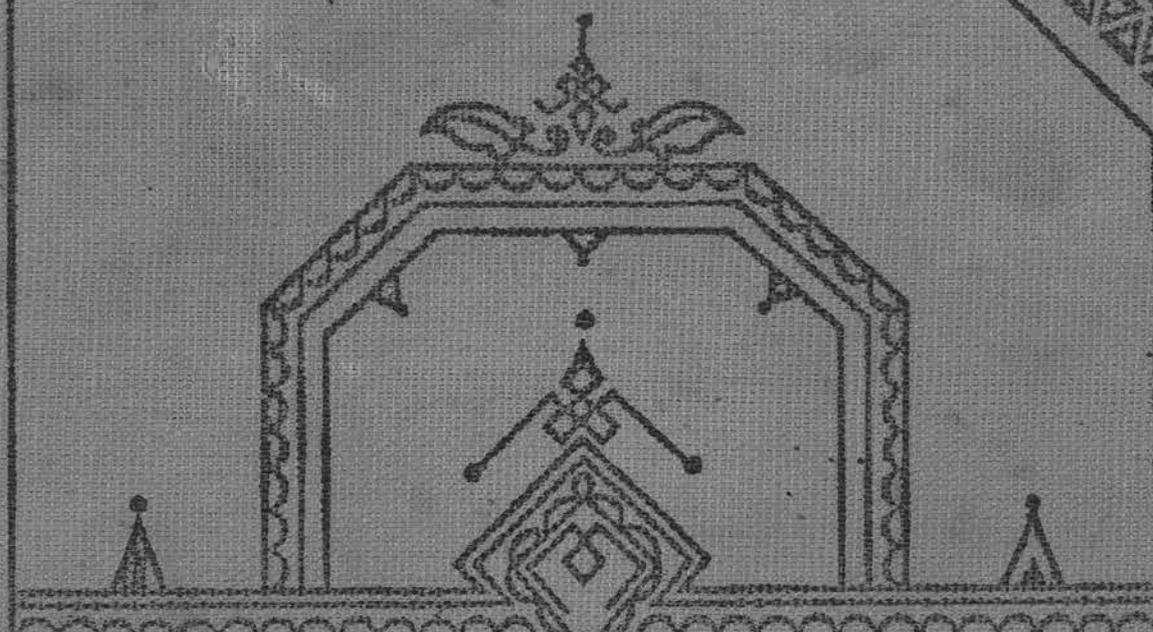
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