

(RECORD OF PROCEEDINGS OF TOWNSHIP BOARD
ON GRANTING OF FRANCHISE)

At a *Special* meeting of the Township Board of the Township of Hanceck in the County of Houghton and State of Michigan, duly called and held pursuant to *Special Meeting at Houghton* Michigan, on the *12th* day of *March* A. D., 1938. *Hancock High School,*

Present:

Charles Nibbelin
Ivar Lindgren
Claf Puska

Board called to order by the supervisor at 3. o'clock, P.M.

Application was made by a representative of The Ontonagon County Rural Electrification Association, a Michigan Corporation, for a franchise granting permission to said Corporation, its successors or assigns, to construct, maintain and operate in the public streets and highways, alleys and other public places, in the Township of _____, _____ County, Michigan, all needful and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity, subject, however, to all conditions and restrictions in said application contained.

The matter was thoroughly discussed and considered by the said Board at length.

It was moved by *Ivar Lindgren* and seconded by *Charles Nibbelin* that the following resolution be adopted:

WHEREAS, The Ontonagon County Rural Electrification Association, herein styled the grantee, has applied to the Township of *Hancock*, County of *Houghton*, State of Michigan, for a franchise, right, permission, privilege, and authority for itself, its successors or assigns, to erect, construct, maintain and operate in the public streets, highways, alleys, and other public places in the Township of _____ County, Michigan, all needful of _____ and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity, subject to all conditions and restrictions in said application contained.

NOW, THEREFORE, BE IT ORDAINED by the Township of *Hanceck*, _____ County, State of Michigan as follows:

AN ORDINANCE, granting to THE ONTONAGON COUNTY RURAL ELECTRIFICATION ASSOCIATION, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, cross-arms, guys, braces, wires, transformers and other electrical appliances on, along and across the public highways, streets, alleys, bridges and other public places, and to do a local electric business in the Township of Hancecock, Houghton County, Michigan, for the period of thirty (30) years.

March 22th, 1938

The Township of Hancecock Ordains:

Section 1. Permission is hereby granted to The Ontonagon County Rural Electrification Association, a Michigan Corporation, its successors and assigns, to construct, maintain and operate in the public streets, highways, alleys, and other public places in the Township of Hancecock, Houghton County, Michigan, all needful and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity, subject, however, to all conditions and restrictions hereinafter contained.

Section 2. The conditions of the foregoing grant are as follows:

A. - The grantee shall do no injury to any street, highway, alley or other public place, or to any shade trees, or in any manner disturb or interfere with any water or gas pipes, or with any public or private sewer, now or hereafter laid or constructed by any authorized person or corporation.

B. - The Board of County Road Commissioners of Houghton County, or other proper authority, may in their discretion grant permission for the trimming of trees when necessary to make the lines safe and accessible, such trimming to be done under their supervision.

C. - The said grantee before entering upon any street, highway, alley or other public place for the purpose of erecting and constructing any poles, mains, wires, pipes, conduits or other apparatus, shall in writing notify the Board of County Road Commissioners of Houghton County, or the Superintendent of said Board, or other proper authority, of the proposed construction, and obtain approval thereof, and shall, if the said Board so requires, file with it a sufficient plan and specification of the proposed erection and construction.

D. - No street, highway, alley or public place shall be allowed to remain encumbered by the construction work of the said grantee for a longer period than shall be necessary to execute the said work, and the Board of County Road Commissioners of Houghton County shall determine the question of such necessity, and the grantee shall at all times conform to all ordinances of the Township now or hereafter in force relative to the fencing and lighting or obstructions and excavations.

E. - The grantee shall save the Township harmless from any judgment that may be recovered against the Township by reason of the wrongdoing or negligence of said grantee in the erection and maintenance of said poles, mains, wires and other apparatus or construction.

F. - Said grantee shall make due provision upon forty-eight hours notice in writing by raising its wires or otherwise, for the passage of any barn, building or other structure on or over any street, highway or public place occupied by the mains, wires, poles and apparatus of said grantee.

Section 3. This grant shall take effect, if said grantee shall within thirty days from the date of the passage of this ordinance, file with the Township Clerk its written acceptance of the terms of same, and upon the confirmation of this grant by the affirmative vote of a majority of electors of said Township, voting thereon at the general Spring election to be held on the 4th., day of April., 1938, as provided for by the Statutes and State Constitution.

If not confirmed by the electors voting at said election, this ordinance shall be null and void.

Section 4. This franchise and Ordinance shall be and remain in force for thirty (30) years from and after the date of its confirmation by the electors of Township, County, Michigan.

Section 5. Nothing in this grant shall be construed to alienate the title of the public in and to any street, highway, alley or public place or any portion thereof, neither shall anything herein be construed in any manner as a surrender by the Township of its legislative power with respect to the subject matter hereof, or with respect to any matter whatsoever; nor as in any manner limiting the right of the said Township of to regulate the use of any street, avenue, highway, alley or public place within its jurisdiction.

Oscar Pakikainen

Supervisor

Claf Dushka Deputy
Clerk

Ernest Lindgreen
Justice of the Peace

Chas. Wikstrom
Justice of the Peace

I hereby certify that the above and foregoing is a true and correct copy of a Franchise granted to The Ontonagon County Rural Electrification Association at a regularly called meeting of the Township Board of the Township of Hancock, Michigan, held on the 12th day of March, 1938, said Franchise to be subject to the conditions of Section 3 of said Franchise in accordance with the law governing the same.

Deputy Claf Dushka
Township Clerk.