

Ordinance No 26

said town.

Wm W Eason
Town Clerk

Ordinance No 27

An ordinance granting to C.R. Miller, his heirs, administrators, and assigns, the right and privilege to the use of the dam at "Big Creek Falls" proposed to be constructed by the town of Yacolt (provided the same shall be constructed by said town) for the connection with the said dam and water stored therein and maintenance thereof. A pipe line to convey water to a powerhouse owned by the said C.R. Miller and used for electric light generation near the dam, all at the expense of the said C.R. Miller, his heirs, administrators, and assigns, said water to be used to furnish power to generate electricity to be used in lighting the streets of the town of Yacolt, Washington, and furnishing heat, light and power to the citizens thereof.

Be it ordained by the Council of the town of Yacolt

Section 1.

That C.R. Miller, his heirs administrators and assigns are hereby granted the right

Ordinance No 27 (Contd)

and privilege to the use of the dam at Big Creek Falls proposed by the Town of Yacolt to be constructed at said place for the purpose of connecting with the said dam ~~and~~ pipe with which to transmit water to be stored by the said dam to the power house of the said C.R. Miller to be used by him in generating electricity in the power house near the dam, also the right to use the water that the said Town of Yacolt may have stored above the said dam for the generation of electricity at said power plant near the dam by the said C.R. Miller, his heirs, administrators and assigns, for the period of forty-nine years, provided always that all said connections, rights of way, etc., necessary for the proper connection and use of the said water at said "Big Creek Falls" shall be paid for and provided by the said grantee herein mentioned and at grantee's expense.

Section II of this ordinance is granted under and upon the following conditions, to-wit:

(A) - That said grantee, C.R. Miller his heirs, administrators and assigns shall free the stream at the head gate from any collected, and shall at all times endeavor to maintain an uninterrupted supply

supply of water in the city's pipe line, and the use of the grantee's pipe line and water shall never interfere with the town's use of the said dam or water stored thereby to the extent of diminishing the town's necessary supply of water.

(B) That this franchise shall not be assigned or transferred to any party other than the public service corporation or other person who will use the said pipe line and said water drawn from said dam other wise than for the purpose of generating electricity, to furnish lighting, heat and power to the Town of Yacolt and the citizens thereof.

(C) That the privileges herein granted to the said C.R. Miller, his heirs, administrators and assigns shall be considered transferred and sold without cost and paid for to the said Town of Yacolt should the said Town of Yacolt purchase the present plant operated as an electric plant therein, known as the Yacolt Light and Power Co., as specified and granted in ordinance No 18 of said Town of Yacolt to Edward McIntosh and J.M. McIntire regarding the purchase of said plant by the said town after a period of

twenty-five years as in said ordinance No. 18 Expressed.

(d) That the pipe used for power, lighting and heating purposes proposed to be laid, as aforesaid by the said C.R. Miller shall be so placed in the head gate above the city's pipe and pipe connections with the said dam so there shall be a vertical distance of twenty-four (24) inches between centres of said connections

(e) That in consideration of the Town of Yacalt granting this franchise to the said C.R. Miller, his heirs administrators, and assigns, the said C.R. Miller, his heirs, representatives, administrators and assigns shall furnish free of charge to the Town of Yacalt sufficient electricity for five (5) forty-eight candle power lamps or their equivalent to be used in lighting the town hall and jail of Yacalt.

(f) Failure by said C.R. Miller, his heirs, administrators and assigns to keep faithfully the terms of this franchise shall work a forfeiture thereof.

(g) Acceptance of this franchise shall be served in writing upon the clerk within one day after notice of its passage by the town Council.

(h) The Town of Yacalt does not obligate itself in any way with

the grantee herein to build the said dam or furnish the said water, but this franchise is granted upon the express understanding that the said grantee shall have the rights hereinabove expressed, provided the town shall construct a municipal water plant with its source at the said Big Creek falls as is now contemplated by the said town.

This ordinance shall be in full force and effect from and after the passage of the same, approval by the mayor and publication according to law.

Read first and second times
Dec 14, 1910.

Read third time and passed
Dec 27, 1910

Approved
(Signed) W. J. Hoag
Mayor

Attest:
Wm. Eaton
Town Clerk

I hereby accept the above franchise as passed by the Council on the 27th day of December, 1910

(Signed) C.R. Miller
Grantee

Ordinance No 27

I hereby certify that the
 foregoing ordinance is a true
 copy of said ordinance as
 read on the dates mentioned.
 before the Town Council.

Wm W Eaton
 Town Clerk

Ordinance No 28.

Same as Ordinance No 27.
 Ordinance No 27, being passed
 at a special meeting was
 declared void. Ordinance
 No 28 was then read but was
 rejected.

Wm W Eaton
 Town Clerk