

Read the first time July 17, 1911

Read the second time July 17, 1911

Read the third time and
passed Nov 6, 1911

Those voting aye:
Conmacher
Minuth
Crampton

Those voting nay:
None

Approved by the Mayor
Nov 6, 1911
(Signed) Vasco Christy
Mayor

Attest:
Wm W Eaton
Town Clerk

I hereby certify that the
foregoing is a true copy
of Ordinance No. 38 as read
on the dates herein mentioned
before the town Council of
Yacolt, Wash

Wm W Eaton
Town Clerk

An ordinance granting
to Edward Murphy, his heirs,
administrators, successors and
assigns, the right to construct
and operate a telephone and
telegraph system in the Town
of Yacolt, Wash., for the accom-
modation of its inhabitants.

Be it ordained by the
Council of the town of
Yacolt:

Section I That the word
"Grant" as employed in
this ordinance shall denote
Edward Murphy, his heirs
administrators, successors
and assigns.

Section II That said
Grantee be and hereby is
granted a franchise for a
period of 49 years from
the date of the acceptance
of this ordinance as herein
provided, with and sufficient
right, power and protection
and authority to construct,
repair, maintain, supplement,
extend and operate a ^{telepho and} telegraph
plant on, under, over and
within the corporate limits
of the Town of Yacolt,
Clarke County, Washington,
for the purpose of furnishing

said city and inhabitants telephone and telegraph service, and for such purpose to enter in and upon the use, without obstacle, delay or opposition, the streets, avenues, highways and alleys of the city, subject, however to the control and direction of the city Council of the said town, and to make all necessary excavations, set poles and lay cable and maintain therein and thereon such connections, apparatus, and appliances, including telephones, as may be deemed necessary and proper and practicable by the grantee, subject to the terms and condition of this franchise, provided:

Section III That said grantee is hereby authorized and empowered to place, lay and construct all conduits, cables, connecting poles and other apparatus in such places and manner as grantee may deem necessary and consistent with such franchise, and with least interference with other public uses of such streets, avenues, highways and alleys and subject to the control and direction

of said Council, and said streets shall not be unnecessarily obstructed, and shall, within a reasonable length of time, be placed in as good condition and repair as before said obstruction at the expense of said grantee, and the said grantee shall hold the town harmless from any liability arising from any neglect act or omission of said grantee.

Section IV All wires placed and installed by said grantee over and above the streets, avenues, highways and alleys of the town shall be at least 20 feet in the clear above the surface of said streets, highway, avenues and alleys.

Section V Within thirty days after the passage of this ordinance by the town Council, and its approval by the Mayor of Yacolt, grantee shall file with the Clerk of said town, his written acceptance of all the terms and conditions of the same.

Section VI This Ordinance shall be in force and take effect from and after the date of its acceptance by the grantee within the time as specified in Section V and shall remain in force for a period of 49 years.

Section VII Individual service shall be furnished all applicants on lines of streets and alleys laid by the grantee, which shall be unlimited service, or better known as the "flat rate" during the continuance of this ordinance. In making all excavations and in laying and repairing all cables, connections, apparatus and appliance for the operating of said plant, care shall be taken not to interfere or conflict with the water mains, pipes or hydrants nor any sewer pipes which are now or may hereafter be laid in the city.

Section VIII. Work under this franchise shall commence within 12 months from the date of the acceptance thereof and shall be pursued

with due diligence, and if within 18 months from the date of the acceptance of this ordinance by grantee shall not be completed according to the terms thereof, and actually furnishing service for the purpose herein set forth, then this obligation shall be null and void.

Section IX That should the Town of Yacolt, in the future desire to install in the said town of Yacolt, an electric fire alarm service, the said grantee agrees to allow the town of Yacolt free use of the poles for the stringing of fire alarm wires and alarm boxes, such system and wires to be at the expense of the Town of Yacolt.

Section X That said grantee agrees that it will furnish to said Town of Yacolt, and maintain during the continuance of this franchise, one telephone for use within the limits of said town, free from all costs and expense to the town.

said telephone to be placed in the Town Hall or fire engine house and to be used only for the benefit of said Town.

Section ~~IX~~ X That said grantee agrees that it shall charge not more than \$2.50 per month for public and professional telephones, or more than \$1.50 per month for residence telephones; and for long distance calls to the city of Portland said grantee agrees that it shall not charge more than 35 cents for the first three minutes of said call and five ^{cents} ~~minutes~~ for each additional minute thereafter; and for long distance calls to the city of Vancouver, Wash., said grantee agrees that it shall not charge more than 25 cents for the first three minutes of said call and five cents for each additional minute of said call for regular subscribers only; and provided that in case the company to which this franchise may be assigned shall ever consolidate with the Pacific States Telephone and Telegraph Company, or its assigns, that such consolidated company shall

operate under this franchise

Section XII At the request of any responsible subscriber within a distance of 300 feet of any constructed line of said grantee, or his assigns, a line shall be extended within 30 days from time of such request so as to permit of service to such subscriber.

Section XIII. This ordinance shall be in full force within five days after its approval by the mayor and publication as by law required.

Read first and second times February 5, 1912

Read Third time and passed February 19, 1912.

Those voting aye:
 J. Crampton, J. A. Williams,
 H. O. Lambers, S. E. Pheister and
 P. Heitzman
 Nays - none

Approved by the mayor
 this 4th day of March
 1912.

Signed (P. Heitzman)
Mayor Pro Tem.

Yacolt, Wash May 21, 1912
Honorable Mayor and Council
Yacolt, Wash

I hereby accept the provisions
of Ordinance No 39, Passed
March 4, 1912

Signed (Edward Murphy)

Note: Time for acceptance
extended to 90 days
by Council on May 20, 1912

I hereby certify that the
foregoing is a true copy
of the Ordinance No 39 as
read and published as
mentioned above
Wm. Cassin
Town Clerk

Ordinance No 40

An Ordinance of
the Town of Yacolt, Wash-
ington, providing for the
repeal of Ordinances Nos.
35, 36 and 37 and providing
for the annulment of all
resolutions, motions or
other proceedings relation
to or affecting the proposed
improvement of the streets
described in this ordinance.
Be it ordained by
the town of Yacolt, Wash-
ington:

Section I That ord-
inances Nos 35, 36 and 37
and all motions, resolutions
or other proceedings had
or done relation to or
affecting the proposed im-
provement of the hereafter
described streets prior to
June 17, 1912 are hereby con-
sidered repealed and
annulled.

The streets referred to are
described as follows:

Commencing at
the intersection of the
Ambay road and the Yacolt
Road street, thence east
to West Railroad street; thence
southeast on West Railroad
street to Cushman street;