

ORDINANCE NO. 46

**VILLAGE OF GREEN ISLE,
SIBLEY COUNTY, MINNESOTA**

AN ORDINANCE GRANTING PERMISSION TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, ENLARGE, OPERATE, REPAIR, AND MAINTAIN, IN THE VILLAGE OF GREEN ISLE, MINNESOTA, TRANSMISSION LINES AND AN ELECTRIC DISTRIBUTION SYSTEM, INCLUDING NECESSARY POLES, POLE LINES, MASTS, WIRES, CABLES, AND FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE VILLAGE AND ITS INHABITANTS, AND OTHERS, AND TRANSMITTING ELECTRIC ENERGY INTO AND THROUGH THE VILLAGE, AND TO USE THE STREETS, ALLEYS, AND PUBLIC GROUNDS OF SAID VILLAGE FOR SUCH PURPOSES:

THE VILLAGE COUNCIL OF THE VILLAGE OF GREEN ISLE, SIBLEY COUNTY, ORDAINS AS FOLLOWS:

Section 1. That there be and hereby is granted to Northern States Power Company, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Company", during the period of twenty (20) years from the date hereof, the right and privilege of erecting, installing, enlarging, operating, repairing, and maintaining, in, on, over, under, and across the streets, alleys, and public grounds of said village electric transmission lines and an electric distribution system, including all poles, pole lines, masts, wires, cables, lamps, transformers, and other fixtures and appurtenances, usually, conveniently, or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power, and other purposes for public and private use in and to said Village and the inhabitants thereof, and others, and for the purpose of transmitting into and through said Village such electric energy, provided that such transmission lines and electric distribution system shall be so located as in no way to interfere with the safety and convenience of ordinary travel along and over said streets and alleys. and provided

**STATE OF MINNESOTA,
County of Sibley.**

} **SS.**

Louis Kill

..... being duly sworn on oath says: that he now is, and during all the times herein stated has been the publisher and printer of the newspaper known as the Arlington Enterprise, and has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed ... Ordinance No. 46 of the Village of
Green Isle, Minnesota

hereto attached, said newspaper was published and printed in the English language from its known office of publication within the City of Arlington, in the County of Sibley, State of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same and the presswork on that part of the newspaper devoted to local news of interest to the community which it purports to serve, was done in its known office of publication; that during all said time in makeup not less than twenty-five percent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second-class matter in its local postoffice; and that there has been on file in the office of the County Auditor of Sibley County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the ... ~~Ordinance~~ hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for one successive weeks; that it was first so published on Thursday, the 17th day of March, 1955, and thereafter on Thursday of each week to and including the day of 195.....; and that the

following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged to be the size and kind of type used in the composition and publication of said notice to-wit:

abcdefghijklmnopqrstuvwxyz - pt.

Subscribed and sworn to before me this 29th day of March, 1955

Marie M. Schwartz

My commission expires
MARIE M. SCHWIRTZ
Notary Public, Sibley Co., Minn.
Notary Public, Sibley County, Minn.
My Commission Expires Dec. 29, 1960

that Company, in the erection, installation, enlargement, operation, repair, and maintenance of such poles, pole lines, masts, wires, cables, lamps, transformers and other fixtures and appurtenances, shall be subject to such reasonable regulations as may be imposed by the Village Council.

Section 2. That the rates to be charged by the Company for the electric energy sold within said Village shall be reasonable and shall not exceed Company's standard schedule of rates and minimum charges effective for and in communities of like size and in adjoining territory which are similarly served and situated.

Section 3. There is also granted to Company during the term hereof, permission and authority to trim all trees and shrubs in the streets, alleys, and public grounds of said Village interfering with the proper erection, installation, enlargement operation, repair and maintenance of any poles, pole lines, masts, wires, cables, lamps, transformers, or any other fixtures or appurtenances, installed in pursuance of the authority hereby granted, provided that Company shall save said Village harmless from any liability in the premises.

Section 4. Nothing in this Ordinance contained shall be construed as giving to Company any exclusive privilege in, on, over, under, or across the streets, alleys or public grounds of said Village.

Section 5. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 6. Company shall, if it accepts this Ordinance and the rights hereby granted, file a written acceptance of the franchise rights hereby granted with the Village Clerk within ninety (90) days from the date of publication of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage and publication, as provided by law. Section 8. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED:
March 14, 1955.
Fred W. Schultz,
Mayor.

ATTEST:
Ralph A. Kregger,
Village Clerk.