

**CHAPTER 4
FRANCHISES**

SECTION 1

401.000. TELEPHONE SYSTEM OPERATION FRANCHISE.

401.001. INTRODUCTION. An Ordinance to R. Borgersrode his successors and assigns the right privilege and authority to occupy the streets and alleys of the Village of Winsted in the County of McLeod and State of Minnesota for the purpose of operating therein a telephone system upon the conditions hereafter named:

(Ord. 16, No Date)

401.002. RIGHTS AND CONDITIONS.

Section 1. R. Borgersrode his successors and assigns are hereby authorized to erect and maintain telephone poles or conduits in the streets and alleys in the Village of Winsted, MN and to stretch wires thereon for the purpose of establishing, operating, and maintaining a telephone system in the Village of Winsted, MN upon the terms and conditions hereafter stated.

Section 2. Said telephone poles and fixtures shall be erected at such places and said wires strung in such manner as the common council of said Village of Winsted, or a committee duly appointed by them shall direct and shall be placed and maintained so as not to interfere with travel of any public improvement on said streets and alleys or other public places of said village, and R. Borgersrode his successors and assigns shall hold said village harmless and free from all damages arising by reason of any abuse or negligence in company or by any act or thing by him done or committed in or about said occupancy or the erection of said poles, wires, and fixtures or anything connected therewith or incident thereto. Said poles shall be so placed as not to interfere with any sewer, gas or water pipes drain or gutter or to interfere with any shade trees or damage thereto and in case of bringing to grade or changing grade of any street or alleys. Said poles shall be reset by the company to conform thereto. This grant is made and is to be enjoyed subject to all reasonable police regulation and ordinance as said council shall at anytime see fit to adopt in the exercise of its legal power not destructive to the rights herein granted.

Section 3. Said Village of Winsted shall have the right at any time to attach wires for police or fire alarms to said poles. Provided that said attachments do not in any way interfere with said granters use of said poles and all such attachments shall be made under the supervision of said grantors manager.

Section 4. Said telephone poles to be painted and kept painted and in good repair and to allow no signs or bills posted thereon.

Section 5. The rights herein granted shall continue for a period of twenty-five years and the rights and privileges herein granted shall not be exclusive and the council reserves the right to grant like privileges to others for similar purposes the same, however not to interfere with the proper exercise of the privileges herein granted.

Section 6. In case the said R. Borgersrode his successors and assigns shall at any time fail or neglect or refuse to comply with any of the village ordinances of a police nature now or hereafter in force or shall cease for a period of 6 successive months to maintain a telephone exchange in said Village of Winsted and supply and provide telephonic communication for the inhabitants thereof then and in that case the council shall have the right to repeal this ordinance and all the rights hereunder granted and any and all amendments hereto.

Section 7. Before said Winsted Telephone Company shall be entitled to any rights or privileges hereunder he shall make and file in the office of the Recorder of said Village of Winsted his unconditional acceptance in writing of all the terms, conditions, and provisions of this ordinance signed by him.

Section 8. This Ordinance shall take effect and be in force from and after its passage and posting.

(Ord. 16, Sections 1-8, No Date Given)