

AN ORDINANCE GRANTING TO TEXAS POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS:

Section 1: That there is hereby granted to Texas Power & Light Company, its successors and assigns (herein called the "Grantee"), the right, privilege and franchise until June 1, 2023 to construct, maintain and operate in the present and future streets, alleys, and public places of the City of Payne Springs, Texas, and its successors, electric light and power lines, with all necessary or desirable appurtenances (including underground conduits, poles, wires, transmission lines and other structures and telephone wires for its own use), for the purpose of supplying electricity to the said City, the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and other purposes.

Section 2: Poles, structures and other appurtenances shall be so erected and maintained as not to interfere unreasonably with traffic over streets and alleys. The location of all poles, conduits and other structures shall be fixed under the supervision of the street and alley committee of the City of Payne Springs, or the successors to the duties of that committee, but not so as to interfere unreasonably with the proper operation of said lines.

Section 3: The service furnished hereunder to said City and its inhabitants shall be first class in all respects considering all circumstances, and shall be subject to such reasonable rules and regulations as the Grantee may make from time to time. The Grantee may require reasonable security for the payment of its bills.

Section 4: The Grantee shall hold the City harmless from all expense or liability for any act or neglect of the Grantee hereunder.

Section 5: That on acceptance of this franchise by Texas Power & Light Company, it shall pay to the City of Payne Springs, the sum of Seven Hundred Dollars (\$700.00), as street rental for twelve (12) months succeeding June 1, 1973, and on June 1, 1974, and annually thereafter on June 1 of each succeeding year for the life of this franchise, Texas Power & Light Company, its successors and assigns, shall pay to the City of Payne Springs a sum equal to two per cent (2%) of its gross revenue received from the sale of electric power and energy by said Company within the corporate limits of said City for the preceding twelve months ending February 28 in full payment for the privilege of using and occupying the streets, highways, easements, alleys, parks, and other public places in the City of Payne Springs whether as rental, supervision and inspection charges, or otherwise for twelve months succeeding June 1 of year in which payment is made. This payment shall be in lieu of any other tax or other increased rate of tax or other imposition, assessment, or charges, except ad valorem taxes.

Section 6: The Grantee shall file its written acceptance of this franchise within sixty (60) days after its passage and approval.

Section 7: This franchise is not exclusive, and nothing herein contained shall be construed so as to prevent the City from granting other like or similar rights and privileges to any other person, firm or corporation.

PASSED AND APPROVED this 4 day of June, 1973.

C. J. Thomas
Mayor

ATTEST:

Mary Howell
City Secretary
CITY SEAL

STATE OF TEXAS

COUNTY OF HENDERSON

I, Mary Lovell City Secretary of the City of Payne Springs, Texas, duly qualified, do hereby certify that the attached and foregoing copy of an ordinance entitled, "AN ORDINANCE GRANTING TO TEXAS POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE," was passed and approved at a Regular meeting of the City Council of said City on the 4 day of June, 1913.

Mary Lovell
City Secretary, City of
Payne Springs, Texas

(CITY SEAL)