

137-65

Registration and

### Legal Notice

Proceedings Of The Village Council  
of the  
Village of Camden, Hillsdale County,  
Michigan

Minutes of regular meeting of the Village Council of the Village of Camden, Hillsdale County, Michigan, held in the Council Chamber of said Village, on the 13th day of July, 1965.

Present: President, Woodrow Wilcox; and Trustees, Richard Shippy, Walter Orth, Tom Wagner, Dale Robinson, Richard Robinson, Rex McKibben, and also the Village Clerk.

Trustee Walter Orth then introduced the following ordinance:

#### ORDINANCE

AN ORDINANCE, granting to Consumers Power Company, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, wires, transformers and other electrical appliances on, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the Village of Camden, Hillsdale County, Michigan, for a period of thirty years, and repealing the ordinance adopted by the Village Council of said Village on June 29, 1936, whereby an electric franchise was granted to Consumers Power Company, its successors and assigns.

#### THE VILLAGE OF CAMDEN ORDAINS:

SECTION 1. That wherever the word "Grantee" appears in this ordinance, it is hereby intended to designate, and shall be held to refer to the Consumers Power Company, a corporation duly authorized to do business in the State of Michigan, its successors and assigns.

SECTION 2. The right, power and authority is hereby granted and vested in said Grantee to construct, maintain and use electric lines, consisting of poles, masts, towers, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, along and across the highways, streets, alleys, bridges and other public places in the Village of Camden, Hillsdale County, Michigan, and to do a local electric business therein, for a period of thirty years.

SECTION 3. No highway, street, alley, bridge or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair and shall be restored to the same good order and condition as when such work was commenced.

SECTION 4. All poles, masts, towers and other supports shall be set and all wires shall be suspended in a careful and proper manner so as not to injure persons or property. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the Street Committee of the Village. The Grantee shall at all times keep and save the Village free and harmless from all loss, costs and damage to which it may be subject by reason of the negligent construction and maintenance of the poles, masts, towers, wires and other structures and appliances, the erection and maintenance of which are hereby authorized.

SECTION 5. The Grantee shall be entitled to charge the inhabitants of said Village for electric energy for light, heat and power, the rates as shown by the schedule now on file in the office of the Village Clerk. Said rates shall be subject to review and change at any time by the Michigan Public Service Commission or its successors, upon proper application by either said Grantee or the Village, acting by the Village Council, being made thereto, and the regularly filed rates as approved by said Michigan Public Service Commission or its successors, as applicable to said Village of Camden, shall at all times be the lawful rates.

All bills for electric energy shall be payable monthly. The Grantee may collect the minimum charge as specified in said schedule. It shall also furnish and maintain commercially accurate meters to measure the energy furnished. Said Grantee shall at all reasonable times have access to the premises of its customers, for the purpose of reading, inspecting, removing and replacing such meters.

SECTION 6. In consideration of the rights, power and authority hereby granted, all of which shall vest in the Grantee for a period of thirty (30) years as aforesaid, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 7. The rights, power and authority herein granted, are not exclusive.

SECTION 8. This ordinance, when accepted and confirmed as herein provided, shall repeal the provisions of the ordinance adopted by the Village Council of the Village of Camden on June 29, 1936, entitled:

AN ORDINANCE, granting to Consumers Power Company, its successors and assigns, the right, power and authority to construct, maintain and use electric lines consisting of poles, masts, towers, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, along and across the streets, alleys and other public places in the Village of Camden, Hillsdale County,

Michigan, and to do a local electric business therein, for a period of thirty years.

and the amendments, if any, to such ordinance, whereby a franchise was granted to Consumers Power Company.

SECTION 9. The franchise granted by this ordinance is not subject to revocation, and shall be and become valid and binding only upon its ratification by the affirmative vote of at least three-fifths of the electors of said Village voting thereon at a regular or special municipal election to be held in the manner provided by law. This ordinance shall not be submitted to the electors unless the Grantee shall, within thirty days after the adoption hereof, file with the Village Clerk its written acceptance, subject to the ratification by the electors as aforesaid, this ordinance shall constitute a contract between the Village and the Grantee for the full term of thirty (30) years from and after the date of such ratification by the electors.

We hereby certify, that the foregoing ordinance was duly enacted by the Village Council of the Village of Camden, Hillsdale County, Michigan, on the 13th day of July, 1965.

WOODROW W. WILCOX,  
Village President

Attest: EVELYN ORTH, Village Clerk  
ACCEPTANCE

The Consumers Power Company does hereby accept the terms of the ordinance adopted on the 13th day of July, 1965, by the Village Council of the Village of Camden, Hillsdale County, Michigan, subject to the approval thereof by at least three-fifths of the electors voting thereon at a regular or special municipal election to be held in said Village, which said ordinance is entitled as follows:

AN ORDINANCE, granting to Consumers Power Company, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, wires, transformers and other electrical appliances on, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the Village of Camden, Hillsdale County, Michigan, for a period of thirty years, and repealing the ordinance adopted by the Village Council of said Village on June 29, 1936, whereby an electric franchise was granted to Consumers Power Company, its successors and assigns.

IN WITNESSES WHEREOF, said Consumers Power Company has caused this acceptance to be executed by its duly authorized officer, this 13th day of July, 1965.

CONSUMERS POWER COMPANY  
By B. G. Campbell /s/  
Vice President

Trustee Dale Robinson then introduced and moved the adoption of