AN ORDINANCE GRANTING TO THE VALLEJO ELECTRIC LIGHT AND POWER COMPANY, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF CALIFORNIA, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE, RIGHT, PRIVILEGE AND PERMISSION TO ERECT, CONSTRUCT, MAINTAIN AND OPERATE OVER, ALONG, ACROSS AND UPON THE ROADS, HIGHWAYS, PUBLIC WAYS, STREETS AND LANES OF AND IN THE COUNTY OF SOLANO, STATE OF CALIFORNIA, TOWERS, PIERS, POLES, MASTS AND OTHER SUPERSTRUCTURES AND UPON AND FROM THE SAME TO SUSPEND, APPLY AND HANG WIRES, CABLES AND OTHER APPLIANCES FOR TRANSMITTING AND CONDUCTING ELECTRICITY AND TO LAY CABLES AND OTHER APPLIANCES IN CONDUITS, AND SUCH OTHER MODES AS MAY BE CONVENIENT AND PROPER, THROUGH, OVER, UNDER AND ALONG THE SAID ROADS, HIGHWAYS, PUBLIC WAYS, STREETS AND LANES OF AND IN SAID COUNTY OF SOLANO AND ITS INHABITANTS AND FOR ALL, OR ANY, PURPOSES FOR WHICH ELECTRICITY CAN OR MAY BE USED, FOR A PERIOD OF FIFTY YEARS FROM THE DATE OF THIS GRANT.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO

DO ORDAIN AS FOLLOWS:

That, whereas, on February 5th, 1917, the Vallejo Electric Light and Power Company, a corporation duly organized and existing under and by virtue of the laws of the State of California, filed with the Board of Supervisors of the County of Solano, State of California, an application in writing for the franchise hereinafter set forth; and

Whereas, said Board of Supervisors did, by resolution duly pass and adopted at a regular meeting of said Supervisors held on the 5th day of February, 1917, resolve to grant said franchise for said term of fifty years, upon the terms and conditions and restrictions imposed and required by law, and by said Resolution so passed as aforesaid, said Board of Supervisors further resolved that sealed bids for said franchise be received by said Board of Supervisors and filed with the County Clerk of said County of Solano, up to the hour of ten o'clock A.M. on Monday the 2nd day of April, 1917, and that said bids be opened at said last mentioned time and date and that said franchise be thereupon struck off, sold and awarded to the person, firm or corporation making the highest cash bid therefor, in the manner provided by law, and at said meeting said Board of Supervisors did, by said resolution, prescribe and fix the sum of Five Hundred Dollars ($500) as the penal sum or amount of the bond required by law to be filed by the successful bidder for said franchise, and

Whereas, said Board of Supervisors did, by the aforesaid resolution, authorize and direct the County Clerk of said County of Solano, for and on behalf of said Board of Supervisors to advertise and publish statements of all of the aforesaid facts and matters, together with the granting of said Franchise, as required by law, in the Vallejo Evening Chronicle a newspaper of general circulation, printed, published and circulated in the County of Solano, State of California, for the time and in the manner provided by law, which said publication was completed not less than twenty days nor more than thirty days before any further action on said franchise was taken by said Board of Supervisors, and

Whereas, thereafter, such action was taken by said Board of Supervisors—upon said application of said Vallejo Electric Light and Power Company in accordance with the law in such case made and provided that
on the 2nd day of April, 1917, after due notice as provided by law in every particular as above set forth, said franchise was, by Resolution of said Board of Supervisors duly passed and adopted at a regular meeting of said Board of Supervisors duly held on said 2nd day of April, 1917, duly struck off, sold and awarded by said Board of Supervisors to said Vallejo Electric Light and Power Company, as the highest cash bidder therefor, for the sum of One Hundred Dollars ($100) in United States Gold Coin; and

Whereas, said Vallejo Electric Light and Power Company deposited with said County Clerk of said County of Solano, in the manner and in the time required by law, the full sum of its said bid, to wit, said sum of one hundred dollars ($100) in Gold Coin of the United States; and

Whereas, said Vallejo Electric Light and Power Company, did within five days after said franchise was so awarded to it as aforesaid to wit, on the 2nd day of April, 1917, file with said Board of Supervisors a bond running to said County of Solano in the penal sum of five hundred dollars ($500) being the amount heretofore fixed by said Board of Supervisors as the penal sum of such bond, which said bond was, and is, a good and sufficient bond, and was, and is, in all respects as required by law, and which bond was on said 2nd day of April, 1917, and it is hereby duly approved by said Board of Supervisors;

Now, therefore, the Board of Supervisors of the County of Solano, State of California, do ordain as follows;

Section 1. The Vallejo Electric Light and Power Company, a corporation duly organized and existing under and by virtue of the laws of the State of California, its successors and assigns are hereby granted the franchise, right, privilege and permission to erect, construct, maintain and operate over, along, across and upon the roads, highways, public ways, streets and lanes of and in the County of Solano, State of California, towers, piers, masts, poles and other superstructures and upon and from the same to suspend, affix and hang wires, cables and other appliances for transmitting and conducting electricity, and to lay, maintain and operate, or to lay, maintain and operate, wires, cables, and other appliances in conduits and such other modes as may be convenient and proper, through, over, along and under the said roads, highways, public ways, streets and lanes for conducting and transmitting electricity to furnish light, heat and power, or any thereof, to the County of Solano, and its inhabitants and for all, or any purposes for which electricity can or may be used. All towers, masts, piers, poles and other superstructures shall be so erected, constructed and maintained so as not to, in any way whatsoever, interfere with the usual and customary trade, traffic and travel on said roads, highways, public ways, streets and lanes. No towers, piers, masts, poles or other superstructures shall, except by special permission from said Board of Supervisors first obtained, be placed on any public highways hereunder which shall have a diameter at the base exceeding three feet or stand out from the road or fence line more than three feet.

Section 2. The Board of Supervisors hereby reserve the right to at any time prescribe that no towers, poles, masts, piers, wires or other superstructures shall be erected or placed by any person or corporation upon or over any highway that said Board of Supervisors may
Section 3. All wires, cables and other conductors of electric current suspended upon or from such towers, piers, masts or other superstructures shall be placed and maintained at such height above or below the surface of the ground as not to endanger or interfere with the customary and usual trade, traffic and travel on any of said roads, highways, public ways, streets and lanes; said wires, cables and other conductors of electric current to be placed and maintained, however, not less than twenty five feet above the surface of the ground, except where the same cross said roads, in which cases the same shall be placed and maintained not less than thirty feet above the surface of the ground.

Section 4. Said Vallejo Electric Light and Power Company and its successors and assigns shall at all times keep and maintain such towers, piers, poles and other superstructures and all wires, cables, and other conductors of electric current erected, operated and maintained by it in good order and condition so that the same shall not menace or endanger the lives or property of persons passing along and over said roads, highways, public ways, streets or lanes.

Section 5. The franchise, right, privilege and permission hereby and herein granted is not an exclusive franchise and right and the right of said Solano County to grant like franchises, rights, privileges and permission is hereby reserved, provided, however, that such subsequent grants shall not interfere with the reasonable use of the franchise right, privilege and permission hereby and herein granted. This grant shall not interfere with existing lines of any other public utility on said roads under any right heretofore lawfully granted.

Section 6. The said Vallejo Electric Light and Power Company, its successors and assigns are hereby granted the said franchise, right, privilege and permission hereinbefore designated for the term of fifty years from and after the date of the adoption of and passage of this Ordinance.

Section 7. The Vallejo Electric Light and Power Company, its successors and assigns must, during the life of this franchise, right, privilege and permission pay to the County of Solano, two per cent of the gross annual receipts arising from the use, operation and possession of said franchise, right, privilege and permission, that is to say, two per cent of the gross annual receipts resulting from the sale of electric energy delivered hereunder by the grantee hereof, its successors and assigns; provided, however, no percentage shall be required to be paid for the first five years succeeding the date of this franchise, right, privilege and permission, but thereafter such percentage shall be payable annually and in the event said payment is not made said franchise, right, privilege and permission shall be forfeited.

Section 8. Work under this franchise, right, privilege and permission shall commence in good faith within not more than four months from the granting of the same, and if not commenced within said time this franchise shall be declared forfeited; and said work shall be prosecuted diligently and in good faith so as to meet and fill the reasonable needs of the inhabitants of the territory for the service of which this franchise is granted.

Section 9. In case the course of any of said roads, highways, public ways, streets and lanes shall hereafter be altered
said County of Solano, the grantee of this franchise, its successors and assigns, shall correspondingly alter the course of its pole lines on such roads, highways, public ways, streets and lanes at the expense of said grantee, its successors and assigns at the point where the course of any such road, highway, public way, street and lane is altered.

Section 10. This Ordinance shall take effect and be in force thirty days from and after its passage and approval.

Introduced this 2nd day of April, 1917 by Supervisor McCormack Passed and adopted this 2nd day of April, 1917, by the following vote.

Ayes, Clausen, Connolly, McCormack, Widenmann and Fleming.
Noes—None
Absent—None

D.M. Fleming, Chairman of the Board of Supervisors

Attest
G.G. Halliday
Clerk of said Board.