ORDINANCE NO. 119

An Ordinance granting to Seattle-Tacoma Interurban Railway, its successors and assigns, the right, authority and franchise to erect poles and cross-arms and stretch wires thereon, in, over and upon the streets, alleys and public places of the Town of Kent, for the transmission and distribution of electric currents for lighting, heating and power purposes, and to maintain and operate the same.

Be It Ordained by the Council of the Town of Kent as follows:

Section 1. That there be and hereby is granted to Seattle-Tacoma Interurban Railway, a Washington corporation, and to its successors and assigns, the right, authority and franchise to erect, locate, construct, maintain and use, in, over and upon the streets, alleys and public places of the Town of Kent, poles with necessary cross-arms, and thereon to fasten wires and to stretch such wires in, over, upon and along the streets, at a height not exceeding three feet above the ground, and use all such poles, cross-arms, wires and appurtenances for the purpose of thereby transmitting, distributing and furnishing electric currents for electric lighting, heating and power purposes, and to sell electric light, heat and power and currents therefor to public and private corporations and individuals, and to make from time to time and thereafter maintain extensions of such system of poles, cross-arms and wires, or any part thereof, to any of the streets, alleys and public places of said town.

Section 2. Any and all poles erected in said streets, alleys and public places shall be constructed in a neat and workmanlike manner and shall be of such size and set in the ground to such depth as to make them safe and free from all danger of leaning or falling, and all such wires shall be properly insulated, connected and fastened, and shall be stretched
so as not to interfere with the free and undisturbed use of said streets, alleys and public places. Whenever it shall be necessary in the erection, repair or substitution of any of such poles or other apparatus to make any excavation in any street, alley or public place, said grantee, its successors or assigns, shall without delay restore the surface of such street, alley or public place as nearly as practicable to the same condition as it was in before the doing of such work.

Section 3. The said grantee, for itself, its successors and assigns, by accepting the provisions of this ordinance, covenants to indemnify the Town of Kent from any injury arising from any casualty or accident to person or property by reason of any negligence of said grantee, its successors or assigns, in failing to keep such poles, wires and other electrical apparatus in a reasonably safe condition, provided reasonable notice is given to said grantee, its successors or assigns by the Town of Kent of any suit or action begun on account of any alleged claim for any such cause.

Section 4. That whenever any person shall have obtained permission of the Town of Kent to use any street of said town for the purpose of moving any building, the grantee, its successors or assigns, upon forty-eight hours' written notice from the Mayor of said town, shall raise or remove any of its or their wires which may obstruct the removal of such building, provided that the moving of such building shall be done at such reasonable hour and in such reasonable manner as shall cause least interference with the business of said grantee, its successors or assigns, and where more than one street is available
for the moving of any such building, the building shall be moved on such street as shall cause least interference with the lines of said grantee, its successors or assigns.

Section 5. That the right, authority and franchise hereby granted shall continue and be in force from the date of the taking effect of this ordinance to the 31st day of December, A. D. nineteen hundred fifty-one (1951). In order to claim the benefit of this ordinance, said grantee, its successors or assigns, shall, within thirty (30) days after the taking effect of this ordinance, file with the Town Clerk of the Town of Kent its or their acceptance of this ordinance, subject to the terms and provisions herein stated, and unless such written acceptance be so filed this ordinance shall cease to be operative.

Passed the Council of the Town of Kent the 2th day of June, 1902, and approved by me the 5th day of June, 1902.

[Signature]

Mayor of the Town of Kent

Attest: [Signature]

Town Clerk of the Town of Kent

Published, June _____, 1902.

Written acceptance of grantee filed June _____, 1902.