An ordinance granting to A.T. West and his successors and assigns the right to place and maintain poles and lines in the streets, alleys, and public ways of the Town of Kent, State of Washington, for the purpose of maintaining a telephone and telegraph system of communication for the use of the said town and its inhabitants.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF KENT:

Section 1. That A.T. West, his successors and assigns, are authorized to erect and maintain in the streets, alleys and other public ways in the town of Kent, the poles, fixtures, wires and cables necessary for the purpose of supplying to the said town and its inhabitants and the public, communication by telephone and telegraph or other improved electrical device, such use to be and continue upon the terms and conditions hereinafter stated.

Section 2. Said poles, wires and cables shall be placed and maintained so as not to interfere with the travel on said streets, alleys and public ways; nor shall such poles, wires and cables be placed as to interfere with the prompt and efficient extinguishment of fire in the said town; and said town shall have the right without any compensation to the said grantee his successors or assigns, to cut and remove any portion of the said wires, whenever in the judgment of the chief of the fire department, it shall become necessary to remove the same for the extinguishment of any fire or fires in said town; and said grantee, his successors and assigns shall hold the said town free and harmless from all damages arising from, and shall defend all suits for damages against said town, arising out of his or their negligence in the erection, maintenance or operation of the said poles, wires and cables, all at the expense of the said grantee, his successors and assigns. This grant is made and is to be used and enjoyed subject to such general regulations and ordinances of a public nature as said town council of the said town is authorized and sees proper at any time to adopt, not destructive to the rights herein granted.
Section 3. The right of use herein granted shall not be exclusive, and the said council of the said town reserves the right to grant a like right of way to any other applicant for privileges, the same however not to unreasonably interfere with the reasonable and proper exercise of the privileges herein granted.

Section IV. The said A.T. West and his successors and assigns by the acceptance of the franchise and privileges herein granted does agree to permit the town at any time to attach to the tops of any of their said poles where practicable, the town five alarm and police wires; provided however, such attachment shall be made so as not to interfere with the use of the said wires and poles by the said grantee and his successors and assigns, and such attachment shall be made and maintained under his and their directions: The said grantee and his successors and assigns further agree to extend to the said town during the entire term of this franchise the use of five telephones to be located in such public buildings or town offices as the town council may direct, without charge to the said town.

Section 5. That whenever any person company or corporation shall have obtained permission from the authorities of the said town to move or remove any building, structure or edifice through, across or upon any of the streets or alleys of the said town, with which the poles or wire of the said grantee or his assigns shall in any manner interfere, the said grantee or his assigns shall upon three days notice from the mayor of the said town, raise or remove said wires or remove or replace the said poles so as to allow free and unobstructed passage for any such building, structure or edifice, and if said grantee his successors and assigns shall fail or refuse to remove said poles, wires or cables upon such notice then the said town may proceed to make such removals and charge the cost thereof to the said grantee, his successors and assigns.

Section 6. That whenever it shall be necessary in grading any street or alley, or in building, any sidewalk, or making any other im-
provisions upon such streets or alleys, to remove any pole or poles belonging to the said grantee or his assigns, the said grantee, his successors or assigns shall upon three days notice from the mayor of the said town remove such pole or poles; and if he or they fail or refuse to remove such pole or poles upon such notice the said town may proceed to remove the same and charge the cost thereof to the said grantee, his successors or assigns.

Section 7. The said grantee and his successors and assigns shall at the time of the installation and at all times thereafter during the term of this franchise furnish to the patrons of their local exchange, long distance service with the independent telephone system of the City of Seattle and all connections, at the usual tariff rates for such service.

Section 8. The said grantee and his successors and assigns shall begin the actual construction of a telephone exchange under the provisions of this franchise in the town of Kent, within ninety days after the date of its passage and approval, the said telephone exchange to be in operation within eighteen months thereafter, failing in which this franchise shall become forfeited.

Section 9. This ordinance may be altered, amended or repealed at any time, due regard being had for the rights of the grantees, successors and assigns, and the interests of the public, and in no case shall the rights, privileges and franchise herein granted extend over a period of more than thirty-five years from and after the passage and approval hereof.

Section 10. Within twenty days after the passage of this ordinance the grantee herein or his successors or assigns, shall file in the office of the clerk of the said town, his or their acceptance of the rights, privileges and franchise herein granted, subject to the requirements, provisions, conditions and reservations herein contained failing in which, this ordinance shall be void and of no effect.

Section 11. Failure of the grantee or his successors or assigns to comply with any of the terms and conditions of this ordinance, shall
work a forfeiture of all of their rights herein granted and the council of the said town may proceed upon such failure to revoke the said franchise and repeal this ordinance.

Section 12. This ordinance shall take effect and be in force from and after its passage, approval and publication.

Passed Jan. 7, 1907.

Approved Jan. 8, 1907.

Attest: C. C. Cornelia
Town Clerk