

An Ordinance granting right of way to J.B.Dowing.

For setting poles stretching wire and hanging lamps over and along the streets and alleys in the town of Las Animas.

Section 1

That there be and is hereby granted to J.B.Downing of the City of Pueblo and State of Colorado, his succeore or assigns subject to the conditions

hereinafter provided, the right to establish, construct, operate, and maintain a plant and the necessary equipment for the purpose of manufacturing electricity for, light power and heating in the Town of Las Animas and furnishing the same to its inhabitants and the said Town wherever its municipal authorities may desire to contract therefor, and for that purpose to erect and maintain the necessary poles or posts of wood, iron or other suitable material along the streets and alleys and in the public places of the said Town with the necessary lamps, and to stretch wires upon the said poles or posts above and across, sidewalks, alleys streets and public places of said town; provided that such work shall be done in such a manner as to give the least possible inconvenience to the public or individuals in the use of such streets alleys or public places, and so as not to interfere with the laying of water pipes, sewers or drain and all excavations in doing said work shall be replaced or repaired by the said grantees at there own costs, in a good workman like manner as soon as practicable; and provided that said grantees shall be and remain solely responsible for all damages that may occur by reason of negligence or unskillfulness in doing said work or in properly guarding any excavations or other works during the continuance of said work and all subsequent repairs and operations of the same and by their acceptance of this ordinance and the privileges granted herein as hereinafter provided, the said grantees shall become bound to indemnify and save harmless the town of Las Animas from all such damage.

Section 2

The said grantees shall put and keep in good order all such poles, posts, lamps, wires and other apparatus after being erected so long as the same shall be kept for use, and shall always be prepared to furnish the town and its inhabitants, after the said plant is established, with a good quality of electric light for illuminating purposes.

Section 3

No lamps or wires shall be placed less than eighteen feet above the streets, alleys or public places except in cases where commercial light are placed in buildings or the front thereof and such location shall be under the direction of the lighting committee of the said town board, and no such poles or posts shall be so placed as to obstruct the running water in any sewer, gutter or drain or interfere with the necessary construction of sewers or underground fixtures for the conveyance of water.

Section 4

This ordinance shall have the force and effect of a contract between the Town of Las Animas and the grantee herein, and the franchise herein granted shall continue and be in force for a period of twenty years from and after the passage of this ordinance.

Section 5

The grantees herein shall within ten (10) days after the passage of this ordinance file with the Town Clerk its acceptance in writing of all the terms and provisions herein.

Note

Passed at a regular meeting of the Board of Trustees of the incorporated town of Las Animas, a majority of the whole number of the members elected to said Board concurring by the following vote. Yeas; W.B.Peart, W.E.Sydner, G.D.Dulin, N.G.Branson, Nays; None.

July 18, 1898

Attest

H.J.Jacquart

Record

Mayor