

*Special*  
Ordinance No 65.

An ordinance granting unto The Lebanon Mutual Telephone Company, its successors and assigns, the right to place, erect and maintain poles, wires and other appliances and conductors, and to lay underground wires for the transmission of electricity for Telephone purposes in and upon and under the streets, alleys and avenues and thoroughfares and public highways of the City of Lebanon, Linn County, Oregon and to exercise the privileges of operating Telephone instruments within the said City of Lebanon.

The People of the City of Lebanon do ordain as follows:-

Sec. 1. The City of Lebanon hereby grants unto The Lebanon Mutual Telephone Company, its successors and assigns the right and privilege to place, erect, lay, ~~and~~ maintain and operate in the streets and alleys, avenues and thoroughfares and public highways within the said City, Poles, wires and other appliances and conductors for the transmission of electricity for Telephone purposes. Such wires & conductors may be strung upon poles or other fixtures above ground, or at the option of the said Grantee, its successors and assigns, may be laid under ground in pipes or conduits or

otherwise protected and such other apparatus may be used as may be necessary or proper to operate and maintain the same.

Sec 2

It shall be lawful for the Lebanon Mutual Telephone Company, its successors and assigns to make all needful excavations in any of said streets, alleys, avenues, thoroughfares and public highways in said city for the purpose of erecting and maintaining poles and other support for said wires or other conductors or for repairing the same, or for the purpose of laying down, maintaining and operating said wires or other conductors underground or for repairing the same.

Said work shall be done in compliance with the necessary rules, regulations, ordinances or orders which may, during the continuance of this franchise, be in force from time to time.

Sec 3.

Nothing in this ordinance shall be construed in any way to prevent the proper authorities of said city of Lebanon from sewerage, grading, planing, repairing or altering any of the streets or alleys of said city, but all works shall be done, so near as possible so as not to obstruct or prevent the free use of said poles, wires, conductors, pipes or other apparatus

Sec 4.

This franchise and the rights

and privileges therein contained are granted to the Lebanon Mutual Telephone Co. its successors and assigns upon the consideration that the said City of Lebanon shall have the right and privilege to suspend and maintain upon the poles placed by said Grantee its successors and assigns, in the streets and thoroughfares of said City, or if said wires are placed underground to use any and all wires which said city may require for Fire Alarm and Police Telephone service free of charge to said City of Lebanon; and upon the further consideration that said grantee will upon the approval of this ordinance by the Mayor, or within a reasonable time after said Telephone service has been constructed, construct and maintain a Telephone in the City Hall during the continuance of this Franchise, free of any charge, for the use of the officials of said City; and upon the further consideration that the Grantee shall cause to be neatly painted all poles and cross pieces erected and to be erected by said Grantee, within a reasonable time after the same have been placed in position, and that all said poles and cross pieces shall be repainted in said manner at such intervals as may be needed, subject to the order of ~~said~~ the City Council of said City of Lebanon

Sec. 5. Nothing in this ordinance shall be construed to prevent the said City of

Lebanon from granting Telephone Franchises and privileges to other persons, firms or Corporations as said city may choose

Sec 6. The rights, privileges and franchises granted shall continue and be in force for a period of Ten (10) years from the date of the approval of this ordinance by the Mayor, and this ordinance shall be in full force and effect from and after its approval by the Mayor.

Sec 7. This Franchise is granted upon the express condition that the same shall not in any way be sold, assigned, transferred or in any way mortgaged, encumbered, leased or disposed of, upon the penalty of the immediate forfeiture of all rights and privileges hereby granted.

Passed the City Council this 20<sup>th</sup> day of March 1906.

Approved by the Mayor this 20<sup>th</sup> day of March 1906.

J. D. Smith  
Mayor of the City of Lebanon

Attest,  
Geo. H. Randle  
City Recorder.