

ORDINANCE NO. 1
Series of 1958

AN ORDINANCE GRANTING TO THE HAXTUN TELEPHONE COMPANY, A COLORADO CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN A TELEPHONE SYSTEM UPON, ALONG, OVER AND UNDER THE STREETS, ALLEYS AND HIGHWAYS OF THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO.

Section 1. That the Haxtun Telephone Company of Haxtun, Phillips County, Colorado, its successors and assigns be granted the right, privilege and authority to construct, operate and maintain lines of telephone, including the necessary poles wire and other fixtures, over, upon, along and under the streets, alleys and highways of the Town of Fleming, Colorado and the right to maintain in said town all the necessary equipment and a central office for the operation of said telephone system upon the terms and conditions hereinafter provided.

Section 2. All poles erected and maintained shall be neatly shaved and symmetrical, and all wire and cable at proper height over streets, alleys and highways and so located as not to interfere with the public use of said streets, alleys and highways. All property, streets, side-walks or curbs that may be obstructed or damaged in the construction and maintenance of said system shall be properly replaced or repaired by the grantee, at its own expense as far as practicable to as good a condition as before such work was done.

Section 3. The grantee, in the construction operation and maintenance of said telephone system shall be subject to all subsequent reasonable ordinances regulating said telephone system, and likewise subject to all laws of the State of Colorado.

Section 4. Grantee agrees during the term hereof, at all times to protect, save harmless and indemnify said town from any and all liability and judgments legally established, arising or growing out of the construction, operation and maintenance of said telephone system by grantee and due to or caused by the fault of negligence of the grantee, except where injury or damage results from the negligence of the servants, agents or employees of the town.

Section 5. The right and authority herein granted shall continue for the period of twenty years from and after this ordinance goes into effect.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall be published as required by Law and shall take effect and be in force upon the expiration of five (5) days from date of this

final passage, subject to the provisions of the statute in such case made and provided.

INTRODUCED, READ AND ORDERED PUBLISHED the 6th day of January,
1958.

PUBLISHED the 14th day of January, 1958.

PASSED AND ADOPTED the 3rd day of February, 1958.

Lester B. Harms

Mayor of the Town of Fleming, Colorado

Attest:

Catherine L. Haite

Town Clerk of the Town of Fleming, Colorado.