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STATE OF TEXAS
COUNTY OF RUSK

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AN ORDINANCE GRANTING to M.G.YOUNG, Sr. a FRANCHISE to USE the STREETS, AVENUES, ALLEYS AND OTHER PUBLIC PLACES of the CITY OF TATUM WITH AND FOR, CONSTRUCTING AND MAINTAINING A TELEPHONE COMPANY:

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF THE CITY OF TATUM, TEXAS

That M.G.Young, Sr. of the City of Tatum, his heirs and assigns be, and are hereby granted the right in such city to conduct the business of maintaining, installing, and managing and running a telephone system to maintain, and construct all necessary poles, wires pole, and wire fixtures, telephone plant, telephone apparatus of whatever nature for the purpose of conducting such business, to maintain, and erect such telephone poles with usual fixtures, and string the same with wire, along all of the streets, avenues, alleys, and other public places of said City, and to construct and maintain, such conduits, as grantee, his heirs, or assigns, may choose under the streets, avenues, alleys, and other public places aforesaid for the purpose of such business, under the following terms, and restrictions, to wit:

- 1 The term of this grant shall be for Fifty (50) years, from this date, at the end of which time, the rights herein granted shall be forfeited.
2. The grantee, his heirs, and assigns, shall conduct such telephone business in such a manner as shall be to the benefit of the City of Tatum, and its inhabitants, rendering good, and prompt telephone service and may charge thereof and therefor rates not to exceed _____ Dollars (\$_____) per month, for each customer for each residence telephone, and not to exceed \$_____ per month per customer, for business telephones, for business or office with in the city.

3. Such telephones business shall be conducted in such a manner that connections with long distance tell lines running into such city, may be had by customers of the grantee, his heirs, and assigns.

4. The grantee, his heirs, and assigns, shall at least once a year publish, and have printed a full and complete directory containing the names of his customers in alphabetical order, and the corresponding numbers of their telephones, a copy of which directory shall be furnished free of charge to each customer of such telephone service.

5. The poles of the grantee, his heirs, and assigns shall be placed and erected in such a manner, as not to unreasonably interfere with the use of the streets and alleys by said city, or the inhabitants thereof, or with the orderly conduct of business of any other corporation, having a right to operate its business in the city. And the placing of such poles, and fixtures, shall be under the joint supervision of the city and grantee herein, in order to protect the interests of third parties.

6. The control of such streets and alleys is reserved in the City of Tatum.

7. This franchise, as well as all rights thereunder, may be assigned by the grantee, as well as by all succeeding grantees at their option, or the rights of such grantee or successors hereunder may be transferred under foreclosure sale or judicial proceedings, or may be transferred from one holder to another or to a third party by the operation or forfeiture clause of any agreement between such persons, in which case, assignees shall succeed to all of the rights, duties, and liabilities of the grantee hereunder.

8. A failure upon the part of the grantee, his heirs, or assigns to observe the restrictions and terms of this ordinance, shall if continued or persisted in after fifteen days notice,

in writing from the Governing Board of the City of Tatum, to the grantee, his heirs, or assigns, be grounds for the forfeiture of the rights hereunder granted.

9. Grantee shall have ninety days from and after the passage of this ordinance to accept this franchise, and take such steps as are necessary for the construction of such telephone system; provided that in case of non acceptance, and grantees assurance of failure to do so, within six months, thereafter, this franchise and the rights hereunder, may, at the option of the city of Tatum, be forfeited to the said City.

The above and foregoing ordinance, read, adopted on first reading and passed to second reading by the following vote this the 9th day of Dec A. D. 1952

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| <u>Mr J E Hartzel</u> | Mayor voting | <u>yes</u> |
| <u>M. E. Adams</u> | Commissioner voting | <u>yes</u> |
| <u>J. H. Kemby</u> | Commissioner voting | <u>yes</u> |
| | Commissioner voting | |
| | Commissioner voting | |

The above, and foregoing ordinance read, adopted on second reading and passed to the third reading by the following vote 3 aye 0 Nay.

This is to certify that the above, and foregoing ordinance, after its due introduction, was read, and was at such regular sessions adopted by the votes of the Board of Commissioners of the City of Tatum, on the dates above given, and was finally read, adopted, and approved by the mayor and made an ordinance of said city of Tatum, at a regular session, of such Board, on the 9th day of Dec A. D. 1952.

Mrs. Francis
Secretary of the City of Tatum,

At a regular meeting of the Commissioners Court of Rusk County, Texas, the above, and foregoing ordinance of the City of Tatum, Texas, was by said Commissioners Court affirmed, and approved



by said Commissioners Court, and all priveleges, rights, and benefits granted such grantee, under, and by virtue of said Ordinance, is hereby approved by the Commissioners Court of Rusk County, Texas, as affecting any lands in Rusk County, Texas, adjacent to the City of Tatum, but not enclosed within its corporate limits.

THIS ORDER OF THE COMMISSIONERS COURT, being adopted by the following vote: Date _____ day of _____ A.D. 1952.

Commissioner Precinct No. 1 voting _____

Commissioner Precinct No. 2 voting _____

Commissioner Precinct No. 3, voting _____

Commissioner Precinct No. 4, voting _____

Precinct No. 1,

Precinct No. 2

Precinct No. 3,

Precinct No. 4.

Approved, this the _____ day of _____ A.D. 1952.

Judge County Court, Rusk County, Texas.

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