

Granting to THE SIERRA NEVADA WATER AND POWER COMPANY, a Corporation organized and existing under and by virtue of the laws of the State of California and having its office and principal place of business in the City and County of San Francisco, State of California, the franchise, right, privilege and permission to erect, construct, maintain and operate along, across and over the roads, highways, public ways, streets and public grounds, of the county of Calaveras, State of California, poles, masts, and other superstructures upon and from which to attach and suspend wires and other appliances for the transmitting and conducting of electricity and of electric current for all the purposes to which the same is or may be adapted, and to lay and maintain wires and other conductors of electric current underground in such conduits and other ways as may be proper under any of the said roads, highways, public ways, streets and public grounds of the said County of Calaveras, State of California, for the period of fifty years from and after the date of this Ordinance.

The Board of Supervisors of the County of Calaveras, do Ordain as follows:

Section I. THE SIERRA NEVADA WATER AND POWER COMPANY its successors and assigns, are hereby granted the franchise, right, privilege and permission to erect, construct, maintain, and operate along, across and over the roads, highways, public ways, streets and public grounds of the County of Calaveras, State of California, poles, masts and other superstructures upon and from which to attach and suspend wires and other appliances for the transmitting and conducting of electricity and of electric current for all the purposes to which the same is or may be adapted and to lay and maintain wires or other conductors of electric current underground in such conduits and other ways as may be proper under the said roads, highways, public ways, streets and public grounds of the said County of Calaveras, State of California.

SECTION II. All masts, poles and other superstructures shall be so erected, constructed and maintained as not in any way whatsoever to interfere with trade, traffic or travel on any of the said roads, highways, public ways, streets or public grounds of the said County of Calaveras, State of California.

SECTION III. All wires and other conductors of electric current suspended upon and from the said masts, poles or other superstructures shall be placed and maintained at such height above the surface of the ground so as not to endanger or interfere with trade, traffic, or travel on any of the said roads, highways, public ways, streets and public grounds of the said County of Calaveras, State of California.

SECTION IV. In case wires or other conductors of electric current shall be placed and maintained under ground, the same shall be so placed and maintained under the supervision of the Board of Supervisors of the County of Calaveras, State of California, as not to endanger or interfere with trade, traffic or travel on any of the said roads, highways, public ways, streets or public grounds, of the said County of Calaveras, State of California.

SECTION V. All masts, poles and other superstructures shall be so erected, constructed and maintained as not to interrupt or interfere with any masts, poles or other superstructures now erected and maintained by any other person or corporation under authority of law.

Section VI. The said Grantee herein, its successors and assigns shall at all times keep and maintain the said poles, masts and other superstructures and all wires and other conductors of electric current by it erected, constructed and maintained in good order and condition so that the same shall in no way menace or endanger the lives or property of persons passing along the said roads, highways, public ways, streets and public grounds.

Section VII. The franchise right, privilege and permission hereby and herein granted is not exclusive and the right for said Calaveras County to grant like franchises, rights, privileges and permissions to other persons or corporations making proper application therefore is hereby reserved, provided, however, that all such grants shall not interfere with the reasonable use of the franchise, right, privilege and permission hereby and herein granted.

Section VIII. The Franchise, right, privilege and permission hereby granted is granted for the term of fifty years (50) from and after the date of this Ordinance.

Section IX. The said Grantee herein shall file with the County Clerk of the County of Calaveras, ex-officio Clerk of the Board of Supervisors, within thirty (30) days after the date of the passage of this Ordinance, its written acceptance of this Ordinance and all of the provisions thereof.

Section X. Work under this Ordinance shall be commenced in good faith by the said Grantee, its successors or assigns within four (4) months from and after the passing of this Ordinance, and shall be completed within not more than three (3) years thereafter, and if not so completed within said time said franchise so granted shall be forfeited; provided that for good cause shown the Board of Supervisors of said County of Calaveras, State of California, may by resolution extend the time for completion thereof, not exceeding three (3) months.

Section XI. The said Grantee herein, its successors and assigns shall commencing five (5) years from and after the date of the franchise hereby and herein granted, and during the life of said franchise, pay annually into the Treasury of the said County of Calaveras, State of California, two (2%) per cent of the gross annual receipts of said Corporation arising from its use, operation and possession of said franchise.

Section XII. The said Grantee herein, its successors and assigns, shall within five (5) days after the franchise hereby and herein granted file a bond running to said County of Calaveras, State of California, with two (2) good and sufficient sureties to be approved by the Board of Supervisors of said County of Calaveras, State of California, in the penal sum of Two Thousand Dollars conditioned that The Sierra Nevada Water and Power Company shall well and truly observe, fulfill and perform each and every term and condition of the franchise hereby and herein granted, and that in case of any breach of condition of such bond, the whole amount of the penal sum of Two Thousand (2,000) Dollars shall be taken and deemed to be

liquidated damages and shall be recoverable from the principal and sureties of said bond.

Section XIII. This Ordinance shall take effect and be in force 20 days from and after the date of its passage.

Passed and adopted by the following vote this 2nd day of October, 1905.

Supervisors: AYES: John P. Scieffard
C.M. Burleson
D.E. Roberts
W.H. Garland
J.F. Tower

NOES: None ABSENT: None

C.M. Burleson Chairman of the Board of supervisors

ATTEST: (SEAL) J.S. Jack Clerk BY L.T. Price Deputy

Filed Oct 3rd 1905

J.S. Jack Clerk BY L.T. Price Deputy