

Be it Ordained by the Council of the Incorporated Town of Cotter Better County of the State of Arkansas:

An Ordinance entitled an Ordinance authorizing the Construction, Maintenance and operation of a Electric Power System for all purposes, in the Town of Cotter and the State of Arkansas,

Section 1. The permission Consent and The Authority he and The Same are hereby granted and given by the Council of the Incorporated Town of Cotter, Hereinafter designated as the party of the first part, unto Wyatt H Wolf, Operating under the name of the Cotter Electric Company, Their Successors and assigns, hereinafter designated as the party of the second part, to locate, Maintain, Construct and operate an Electric Power System, for light Power, and all other purposes, in and for the Town of Cotter, in and Over the Streets, Alleys, and public Grounds or Parks, within the Incorporated limits of said Town, and the use of the Poles, Wires Cables, and other structures necessary to Construct, erect and Maintain and use all the Mechanical appliances necessary and suitable for the Construction Maintenance, and operation of an Electric System, and to include the use of Electricity for all purposes in any part of the Town, and the said poles Wires and Cables and any other necessary or suitable appliances may be erected in Over and through the Town of Cotter.

2 Section 2 Said party of the second part, in the erection of all poles for the Support of Wires, shall set such poles against the Curb, True ~~to~~ Straight, to the line inside of such Curb, in the outer edge of the Sidewalk.

Said poles to be of uniform heights properly dressed and smoothed as nearly as possible, their setting to be adjusted to give free access to the abutting property and shall in no way be set so as to obstruct the entrance to passage through the alleys, and in setting said poles, the excavations thereof shall be well filled and tampered and set and maintained at a perpendicular and uniform height at all times as nearly as possible and so as not to obstruct any water way and to conform to the other walks when they are placed.

All high voltage cross wires shall be extended not less than sixteen (16) feet above the ground except when necessary to pass under bridges and other obstructions. All rights herein granted shall be so constructed so as not in any manner interfere with the free use and enjoyment of valid and existing rights heretofore granted to other persons or corporations. The poles and lines herein contemplated shall be constructed, maintained and operated so as not to interfere with any existing telegraph, telephone or fire alarm wires beyond the extent necessary for the construction and operation of an electric system.

Section 3, Said Grantee, their successors or assigns, shall not construct or maintain

it may herein after adopt for its own use, provided said use shall not interfere with the use of said poles by the party of the second part. 19

The party of the second part may use for the support of their wire, Cables and other appliances poles or masts of any other company or person that may now or may hereinafter be maintained in said town, provided such other person or company shall consent thereto.

Section 5. The party of the second part, its successors and assigns, shall have the right during the continuance of this Ordinance, to fix a minimum charge of two Dollars (\$2.00), per month for each customer or place served regardless as to whether the meter shall register to that amount or not.

The party of the second part shall have the right to charge on meters a rate not to exceed Twenty Cents (20) per Kilowatt-hour for the first ten Kilowatt hours used per month, Fifteen Cents (15C) per Kilowatt hour for the second ten Kilowatt hours, used per month, and twelve and one half (12½C) Cents per Kilowatt hour for the third ten Kilowatt hours used per month, Ten Cents (10C) per Kilowatt hour for amounts used between thirty and two hundred eighty Kilowatt hours per month, and eight Cents (8C) per Kilowatt hour for all amounts used in excess of two hundred and eighty Kilowatt hours per month. It is

4 interest at a rate of 5 per cent per annum, ²⁰ or the customer will pay the company a monthly rental on house meters of 15c per month.

It being understood that the party of the second part shall at all times, sell its electricity at as low a rate as is consistent with sound business principles and a fair return of profit and the right is herein granted to the party of the second part, its successors and assigns, to make any needful rules and regulations for its protection and for preventing waste and wrongful use of electricity or other commodities furnished by the party of the second part, its successors and assigns.

Section 6. The right to trim or cut trees shall be vested in the town Council and permission shall be obtained therefrom in every case where it is considered necessary to cut down, remove branches or limbs from any of the trees on public streets.

Section 7. Said party of the second part, its successors and assigns, shall not be required to serve customers, where the same would require the building of an extension to the lines of more than 500 feet.

Section 8. In granting this franchise it is further agreed that after ten (10) years, the Town of Catter may take over the Catter Electric Company's equipment, complete at a price agreed upon by the managers of the Catter Electric Company.

Section 9. The party of the second ⁵
 part agrees to furnish electricity to the public
 and denominational schools and ²¹
 churches of Catter at the regular meter
 rates said schools and churches to be
 chargeable only with the amounts
 actually registered by the meters.

Section 10. The Catter Electric

Company, its successors and assigns,
 agrees to furnish electricity to the Town
 of Catter, for the lighting of streets,
 alleys, parks and other public places,
 at a rate not to exceed Eight (8c) per
 kilowatt hour. The Town of Catter
 agrees to furnish all necessary wiring,
 fixtures, and street lamps, ~~over~~ the
 series of multiple incandescent types.
 The party of the first part may contract
 with the party of the second part, for
 the lighting of its streets, for the period
 of this ordinance, and the party of the
 second part, its successors and assigns,
 shall from time to time as the party
 of the first part may see fit, extend its
 lines, so as to take in such additional
 street lamps as the Town Council shall
 order, whenever such extension shall
 call for not less than six lamps of the
 size and candle power furnished in
 other parts of town, to each mile of such
 extension. The party of the second part,
 its successors and assigns, shall
 locate all street lights as directed by
 the town Council.

6 That month. 22
Whenever two hundred homes, stores,
and offices, in Catter are using electricity
during any month, the rate for the first
Ten Kellawatt hours used, will be
fifteen cents (15c) per Kellawatt hour
and the minimum charge to all
Customers in Catter will be one
dollar and fifty cents (1.50) for that month.

Section 12. The lights and power
furnished by the party of the second part,
its successors and assigns, shall be
furnished Twenty four (24) hours per day.

Section 13. The party of the second
part shall start construction work
within thirty days (30) from passage
and final publication of this
Ordinance, and shall have said
electric system in operation within
an additional one hundred and
twenty days (120) and upon failure
to do so this franchise shall become
null and void, at the option of
the party of the first part, and provided
further the party of the second party
shall at all times, faithfully perform
their contract, and shall furnish to
the inhabitants of Catter a good and
reasonable service, according to the
terms of this franchise, overlooking
the will of God only, as an excuse
for the failure to provide service for
a period not to exceed thirty days (30),
and upon their failure to do so this

Passed by the Council of the
Incorporated Town of Catter,
Arkansas, this the 16th, day of
March 1926.

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J. J. Marrow,
Mayor.
J. I. Jones
Recorder