

ELECTRIC FRANCHISE  
ORDINANCE NO. 72

AN ORDINANCE OF THE CITY OF VERNON CENTER, COUNTY OF BLUE EARTH, STATE OF MINNESOTA, GRANTING TO INTERSTATE POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT, INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR, OWN, OPERATE, MAINTAIN, MANAGE AND CONTROL AN ELECTRIC PLANT WITHIN THE CORPORATE LIMITS OF SAID CITY AND AN ELECTRIC TRANSMISSION AND DISTRIBUTION SYSTEM CONSISTING OF POLES, WIRES, CONDUITS, PIPES, CONDUCTORS AND OTHER FIXTURES IN, UNDER, OVER, ALONG AND ACROSS THE STREETS, LANES, AVENUES, SIDEWALKS, ALLEYS, BRIDGES AND PUBLIC GROUNDS OF SAID CITY FOR THE PURPOSE OF PRODUCING AND FURNISHING ELECTRIC ENERGY FOR LIGHT, HEAT AND POWER PURPOSES TO THE INHABITANTS OF SAID CITY FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE PASSAGE, APPROVAL AND PUBLICATION OF THIS ORDINANCE ACCORDING TO LAW.

THE CITY COUNCIL OF VERNON CENTER, MINNESOTA, DO ORDAIN AS FOLLOWS:

**Section 1.** That there is hereby granted unto Interstate Power Company, its successors and assigns, herein called the "Grantee," the right, permission, privilege and franchise, for a period of twenty-five (25) years from and after the taking effect of this Ordinance, subject only to the laws of the State of Minnesota as now in force and to the conditions and limitations hereinafter contained, to erect, install, construct, reconstruct, repair, own, operate, maintain, manage and control an electric plant and an electric transmission and distribution system consisting of poles, wires, conduits, pipes, conductors and other fixtures, within the limits of said Municipality, necessary, convenient or proper for the production, transmission, distribution and delivery of electric energy to the inhabitants of said Municipality for light, heat and power purposes.

**Section 2.** That said Grantee, its successors and assigns, is hereby granted the right-of-way in, under, over, along and across the streets, lanes, avenues, sidewalks, alleys, bridges and public grounds of said Municipality for the purpose of erecting, installing, constructing, reconstructing, repairing, owning, operating, maintaining, managing and controlling said electric plant and said electric transmission and distribution system.

**Section 3.** That said Grantee shall hold said Municipality free and harmless of and from any and all liability, damages, actions and causes of action, caused by or through the neglect or mismanagement of the Grantee in the erection, installation, construction, reconstruction, repair, operation, maintenance, management or control of said electric plant and electric transmission and distribution system.

**Section 4.** That said Grantee shall not, during the erection, installation, construction, reconstruction, repair, operation and maintenance of said plant or transmission and distribution system, unnecessarily impede public travel on the streets, lanes, avenues, sidewalks, alleys, bridges and public grounds of said Municipality, and shall leave all of said streets, lanes, avenues, sidewalks, alleys, bridges and public grounds upon which it may enter for the purpose herein authorized in as good condition as they were at the date of said entry.

**Section 5.** That said Grantee will extend service to any customer within the corporate limits of the Municipality in accordance with the Service Standards of Grantee as filed with the Public Service Commission of the Department of Public Service of the State of Minnesota.

**Section 6.** That whenever any person has obtained permission from the Municipality to move any building or structure which may interfere with the poles, wires or other fixtures of said Grantee, Grantee shall, upon five days' notice thereof, and at the expense of the person desiring to move such structure, remove such poles, wires or other fixtures as may be necessary to allow the passage of such structure, for a reasonable length of time, upon receipt from such person of satisfactory assurance covering the cost of such removal and replacement and any liability or damage resulting therefrom.

**Section 7.** That if any section or portion of a section of this Ordinance shall be declared null and void by any competent authority, the remaining portions hereof shall not be affected thereby.

**Section 8.** That all ordinances or resolutions or parts thereof heretofore adopted by said Municipality in conflict with the terms hereof are hereby repealed.

**Section 9.** That said Ordinance shall take effect from and after its passage, approval and publication according to law.

APPROVED: June 5, 2001.

  
MAYOR OF THE CITY OF VERNON CENTER, MINNESOTA

  
*Patricia Kosch*  
CLERK

(SEAL)

STATE OF MINNESOTA  
CITY OF VERNON CENTER  
CLERK'S CERTIFICATE

I, Patricia Kosch, being the duly qualified and acting Clerk of the City of Vernon Center, County of Blue Earth, State of Minnesota, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Minutes of a Meeting of the City Council of said City held on the 5<sup>th</sup> day of June, 2001, insofar as they pertain to the granting of an Electric Franchise to the Interstate Power Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 5<sup>th</sup> day of June, 2001.

Patricia Kosch

CLERK

(SEAL)



MINUTES OF A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE CITY OF  
VERNON CENTER, MINNESOTA

A Regular Meeting of the City Council of the City of Vernon Center  
County of Blue Earth, State of Minnesota, was held at

City Hall, 101 Oak St. No. in said City on the 5<sup>th</sup> day of  
June, 2001, at 7 o'clock, P M.

There were present:

R. Brian Champlin MAYOR  
Sue Schilling Denny Peterson  
Sandy Oppegard

constituting 4 of the members of the Council.

Mayor R. Brian Champlin, called the meeting to order and  
presided thereat, and Patricia Krosch acted as Clerk of the Meeting.

The Mayor stated that as this was a Regular Meeting, notice thereof was not  
necessary.

The Mayor stated that Interstate Power Company, had submitted a proposed  
Electric Franchise to be granted by the City of Vernon Center, Minnesota, to said  
Interstate Power Company. The Mayor then presented a proposed Ordinance granting  
a Franchise to said Interstate Power Company, which Ordinance was fully read.

Councilperson Denny Peterson then moved that the Ordinance as read be  
adopted as Ordinance No. 72.

The Motion was seconded by Councilperson Sue Schilling. A roll being called on said motion, the following voted "Aye":

Sue Schilling                      Denny Peterson  
Sandy Oppegard                      \_\_\_\_\_

and the following voted "Nay":

\_\_\_\_\_

The Mayor stated that the motion had been carried by a yes vote of all of the members of the Council, and the Ordinance legally adopted as Ordinance No. 72. A copy of said Ordinance is attached hereto and made a part hereof.

There being no further business before the meeting, it was on motion duly made and unanimously carried, adjourned.

Patricia Krosch  
CITY CLERK

