

ORDINANCE NO. 506

AN ORDINANCE GRANTING TO CONTINENTAL TELEPHONE COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION DOING BUSINESS AS CONTINENTAL TELEPHONE COMPANY OF NEVADA, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE FOR A TERM OF TWENTY-FIVE (25) YEARS, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A TELEPHONE AND TELEGRAPH SERVICE AND ALL PROPERTIES, WORKS AND FACILITIES NECESSARY, AND PROPER APPLIANCES USED IN CONNECTION THEREWITH OR APPURTENANT THERETO IN THE CITY OF HENDERSON, COUNTY OF CLARK, STATE OF NEVADA.

WHEREAS, CONTINENTAL TELEPHONE COMPANY OF CALIFORNIA, a corporation organized and existing under and by virtue of the laws of the State of California, and doing business within the State of Nevada as CONTINENTAL TELEPHONE COMPANY OF NEVADA, being duly authorized to transact a public utility business within the State of Nevada currently holds the franchise for the construction, operation and maintenance of a telephone and telegraph service and all properties, works, and facilities necessary or appropriate for such service, and all necessary and proper appliances used in connection therewith or appurtenant thereto in the City of Henderson, County of Clark, State of Nevada; and

WHEREAS, CONTINENTAL TELEPHONE COMPANY desires and has made application to renew said franchise for an additional term of twenty-five years, and hereby makes written application for the renewal of the franchise hereinafter set forth; and

WHEREAS, the City Council of the City of Henderson; in the exercise of its lawful powers, has determined that it is in the best interests of the City of Henderson and of the inhabitants thereof that said franchise be granted;

NOW, THEREFORE, the City Council of the City of Henderson does ordain:

Section 1. CONTINENTAL TELEPHONE COMPANY, its successors and assigns, are hereby granted the right, privilege and franchise to construct, erect, install, operate and maintain a telephone and telegraph service, all properties, works, and facilities necessary or appropriate for the furnishing of telephone and telegraph services, and all necessary and proper appliances used in connection therewith or appurtenant thereto, in the City of Henderson, County of Clark, State of Nevada, in, over, across and under and along all streets, avenues, alleys and roads and other public places of the City of Henderson situated within or on the exterior boundaries of the City of Henderson, as such boundaries are now and as they may hereafter be extended.

Section 2. All pipes, poles, mains, conduits, properties, works, facilities, equipment and appliances shall be constructed, erected, installed, laid, improved, extended, enlarged, removed, operated and maintained in conformity with law and so as not to interfere unreasonably with the use by the public of said streets, avenues, alleys and roads and other public places in the City of Henderson.

Section 3. Said franchise shall be for a term of twenty-five (25) years, commencing on the date when this Ordinance shall become effective.

Section 4. The rates charged for telephone and telegraph service shall be in accordance with rates filed with and approved by the Public Service Commission of the State of Nevada.

Section 5. The CONTINENTAL TELEPHONE COMPANY shall pay to the City of Henderson as and for supervision and inspection, and not for revenue, one (1) per cent of its gross exchange service revenues within the incorporated city limits of Henderson, Nevada, provided, however, that in no event shall the payment to the City of Henderson for said franchise be less than Five Hundred and No/100 (\$500.00) Dollars per year. Said payments shall be made in advance, based upon the revenue of the

preceding quarter. In addition to the franchise fee herein provided, Continental Telephone Company shall obtain all necessary business licenses and pay the required fees therefor.

Section 6. The CONTINENTAL TELEPHONE COMPANY may make such excavations in the streets and alleys as may be necessary for erecting and repairing such poles and wires, subject at all times to the rules, ordinances and resolutions of the City Council, and the City of Henderson reserves the right, acting through its Council, to cause Continental Telephone Company, its successors and assigns, to change the location of any pole, conduit, wire or conductor and appurtenances situated in the Public right-of-way when public purposes so require. The expense of such change of location shall be borne and paid for by Continental Telephone Company.

Section 7. This ordinance shall be and constitute a formal franchise to said Continental Telephone Company of California; doing business as Continental Telephone Company of Nevada, authorizing the rights and privileges and subject to the terms or conditions hereinbefore set forth, when the same is signed by the Mayor of the City of Henderson and attested by the City Clerk of the said City of Henderson, and has been duly published as provided by law.

Section 8. A copy of this ordinance shall be filed with the City Clerk and notice of such filing shall be published once by title in the Henderson Home News, a newspaper having general circulation in the City of Henderson, at least one (1) week prior to the adoption of said ordinance and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the ordinance shall become effective.


CRUZ M. OLAGUE, MAYOR

ATTEST:


GENEVIEVE W. HARPER, CITY CLERK

The above and foregoing ordinance was first proposed and read in title to the City Council on the 21st day of October, 1974, which was a regular meeting and referred to a Committee of the following Councilmen:

COUNCIL AS A WHOLE

Thereafter, said Committee reported favorably on the ordinance on the 4th day of November, 1974, which was a regular meeting of the Henderson City Council, at which time the ordinance was read in title and adopted by the following vote:

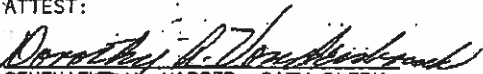
VOTING "AYE": Cruz M. Olague, Dick Stewart, John E. Jeffrey, Carlton D. Lawrence and Lorin L. Williams.

VOTING "NAY": None.

ABSENT: None.


CRUZ M. OLAGUE, MAYOR

ATTEST:


GENEVIEVE W. HARPER, CITY CLERK
by Dorothy A. Vondenbrink, Ass't.

EEC858

