

AN ORDINANCE GRANTING TO CENTRAL POWER AND LIGHT COMPANY, A CORPORATION DULY INCORPORATED UNDER THE LAWS OF THE STATE OF TEXAS, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT, AND POWER FRANCHISE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF BAYSIDE:

SECTION 1: There is hereby granted to Central Power and Light Company, its successors and assigns, herein called the "Grantee", the right, privilege, and franchise until January 1st, 2028, to construct, maintain, and operate in the present and future streets, alleys, and public places of the Town of Bayside, Texas, as the limits of said Town now exist and as they may hereafter be extended, and its successors, electric light and power lines, with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires, and transmission lines, and telegraph and telephone wires for its own use) for the purpose of supplying electricity to the said Town, the inhabitants thereof, and persons and corporations within and beyond the limits thereof, for light, heat, power, and other purposes.

SECTION 2: Poles and towers shall be erected so as not to interfere unreasonably with traffic over streets and alleys, and the Town may make and impose reasonable requirements fixing the location of poles, towers, and conduits, provided that no such requirement shall be unreasonably burdensome upon Grantee or unreasonably interfere with the proper operation of said facilities.

SECTION 3: The service furnished hereunder to said Town and its inhabitants shall be subject to such reasonable rules and regulations as the Grantee shall make from time to time. The Grantee may require reasonable security for the payment of its bills and reasonable fees in connection with furnishing said service.

SECTION 4: The Grantee shall hold the Town harmless of and from all expense or liability for any act of negligence of the Grantee hereunder.

SECTION 5: As consideration for the rights and privileges herein granted, the Grantee will pay to the Town throughout the term of this franchise a gross receipts tax equal to two per cent (2%) of the gross receipts of Grantee from the sale of electricity within and for use within the corporate limits of the Town in semi-annual payments, being payments on or before each May 1, computed on said gross receipts during the period of six (6) months ending on the preceding March 31, and on or before November 1, computed on said gross receipts during the period six (6) months ending on the preceding September 30. In the event Grantee should agree to pay to any other municipality which it serves a greater percentage than two per cent (2%) of its said gross receipts, Grantee will automatically thereafter pay to the Town of Bayside the same percentage of its gross receipts within the Town of Bayside derived from the sale of electric energy.

SECTION 6: This franchise is not exclusive and nothing contained herein shall be construed to prevent the Town from granting other like or similar rights and privileges to any other person, firm, or corporation permitted by law to provide electric utility service within the boundaries of the Town.

SECTION 7: This franchise ordinance shall be read at three separate regular meetings of this Board of Aldermen.

SECTION 8: This grant is conditioned that the Grantee shall file its written acceptance of this franchise within ninety (90) days after the adoption of this ordinance.

INTRODUCED in written form and read, and passed at first reading at a regular meeting duly and regularly called and held on the 28 day of February, 1978, by the following

vote, to-wit:

AYES Hope Vega  
Bill Blumel  
John Johnson  
John Roberts  
John Autry

NAYS \_\_\_\_\_  
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PASSED at second reading at a regular meeting duly and regularly called and held on the 14 day of March, 1978, by the following vote, to-wit:

AYES Hope Vega  
Bill Blumel  
John Johnson  
John Roberts  
John Autry

NAYS \_\_\_\_\_  
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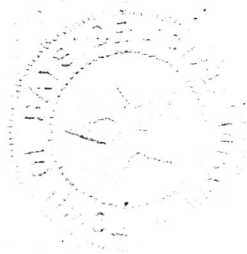
PASSED and ADOPTED at third and final reading at a regular meeting duly and regularly called and held on the 28 day of March, 1978, being not less than thirty (30) days after the first reading, by the following vote, to-wit:

AYES Hope Vega  
Bill Blumel  
John Johnson  
John Roberts  
John Autry

NAYS \_\_\_\_\_  
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Billy L. Smith  
MAYOR OF THE TOWN OF BAYSIDE,  
TEXAS

ATTEST:  
C. H. Chick  
TOWN SECRETARY



THE STATE OF TEXAS X  
COUNTY OF REFUGIO X

I, the undersigned, Town Secretary of the Town of Bayside, Texas, hereby CERTIFY that the above and foregoing is a true and correct copy of a franchise ordinance passed, adopted, and approved by the Board of Aldermen of the Town of Bayside, Texas, at a meeting duly and regularly called and held on the 28 day of March, 1978.

IN TESTIMONY WHEREOF, witness my hand and seal of office, this 28 day of March, 1978.

C. S. Chick  
TOWN SECRETARY OF THE TOWN OF  
BAYSIDE, TEXAS

