

AN ORDINANCE

Authorizing the Southern Bell Telephone and Telegraph Company to use the public streets of the Town of Eva, Alabama, for the purpose of erecting, constructing, maintaining and operating lines of telephone and telegraph thereon and thereunder.

SECTION 1. Be it ordained by the Mayor and Council of the Town of Eva, Alabama, that permission be and the same is hereby granted to the Southern Bell Telephone and Telegraph Company, its successors and assigns, to construct, maintain and operate lines of telephone and telegraph, including the necessary poles, conduits, cables, fixtures and electrical conductors upon, along, under and over the public roads, streets and highways of the Town of Eva, Alabama, as its business may from time to time require, provided that all poles shall be neat and symmetrical.

SECTION 2. The work of erecting poles and constructing underground conduits under this ordinance shall be done subject to the supervision of the Town, and the Company shall replace or properly relay and repair any sidewalk or street that may be displaced by reason of such work, and upon failure of the Company so to do, after twenty days' notice in writing shall have been given by the Mayor of the Town to the Company, the Town may repair such portion of the sidewalk or street that may have been disturbed by the Company, and collect the cost so incurred from the Company.

SECTION 3. In consideration of the rights and privileges herein granted, the Company, when requested by the Town, will designate and provide without cost to the Town (1) on each pole owned and used by the Company hereunder and during its ownership and use thereof, either (a) space for a fixture for, or (b) space for a cross-arm for, wires of the police and fire alarm signalling system of the Town, and (2) in each underground conduit owned and used by the Company hereunder and during its ownership and use thereof, one duct for the cables of the police and fire alarm signalling system of the Town; provided, however, that no use shall be made by the Town of said space on such poles or of said duct which will result in interfering with or impairing the operation or use of the Company's property or service, or which will endanger, damage or injure the person or property of the public or employees of the Company or Town.

SECTION 4. The Company shall indemnify the Town against, and assume all liabilities for, damages which may arise or accrue to the Town for any injury to persons or property from the doing of any work herein authorized, or the neglect of the Company or any of its employees to comply with any ordinance regulating the use of the streets of the Town, and the acceptance by the Company of this ordinance shall be an agreement by it to pay to the Town any sum of money for which the Town may become liable from or by reason of such injury.

SECTION 5. The Company shall file with the Town Clerk of the Town its acceptance of this ordinance within sixty days from the date when it shall take effect.

SECTION 6. Nothing in this ordinance shall be construed as a surrender by the Town of its rights or power to pass ordinances regulating the use of its streets.

SECTION 7. This ordinance shall be in force from and after the date of its passage and publication as required by law.

Introduced and read at meeting of Town Council of said Town held on the 12th day of December, 1963.

Read and finally passed at regular meeting of Town Council of said Town held on the 9th day of January, 1964.

I, Loy Greenhill, Jr., Town Clerk, hereby certify that the above is a true and correct copy of an ordinance duly and finally passed by the affirmative vote of a majority of the members of the Town Council of the Town of Eva, Alabama, at a regular meeting held on the 9th day of January, 1964.

I further certify that said ordinance was duly recorded in Ordinance Book 1, page 19, on the 21th day of January, 1964, and was published as required by law, by being published on the _____ day of _____, 19____, in _____, a newspaper having a general circulation in said Town;
[or]
by being posted on the 13th day of January, 1964, at the following public places in said Town:

1. Post Office (or) Mayor's Office
2. Eva Gin Co.
3. Oden Gen. Merc. Store

Loy Greenhill, Jr. Town Clerk
APPROVED

Roland Ryan, Mayor

"Town has No Seal"

[TOWN SEAL] Clerk

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY

HURT BUILDING ATLANTA, GEORGIA

F. M. MALONE
VICE-PRESIDENT

AREA CODE 404
529-8811

TO THE TOWN CLERK OF THE
TOWN OF EVA, ALABAMA:

Pursuant to Section 5 of Ordinance No. 4 adopted by the Mayor and Council of the Town of Eva, Alabama, and approved by the Mayor, on the 9th day of January, 1964, entitled:

"AN ORDINANCE Authorizing the Southern Bell Telephone and Telegraph Company to use the public streets of the Town of Eva, Alabama, for the purpose of erecting, constructing, maintaining and operating lines of telephone and telegraph thereon and thereunder.";

the Southern Bell Telephone and Telegraph Company hereby files with the said Town of Eva, Alabama, its acceptance of said ordinance.


EXECUTED this the 14th day of February, 1964.

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY


Vice President

I, Loy Greenhill, Jr., Clerk of the Town of Eva, Alabama, do hereby certify that the above and foregoing ordinance, being Ordinance No. 4, was published by posting a copy of the same at three public places in the Town of Eva, Alabama, viz., the Post Office, Eva Lumber Co., and E. B. Oden's Store on the 13th day of January, 1964.

IN WITNESS WHEREOF, I have hereunto set my hand as Clerk of the Town of Eva, Alabama, on this 13th day of January, 1964.


CLERK