

An ordinance granting to Puget Sound Power & Light Company, its successors and assigns, the right, privilege, authority and franchise to set, erect, construct and maintain poles and wires, or underground cables together with appurtenances thereto where such underground facilities have been specially contracted for upon, over, under, along and across the streets, avenues, alleys and public places in the City of Kirkland for the purpose of the transmission, distribution and sale of electric power, heat and light and for any other purpose or purposes for which electricity may be used.

The City Council of the City of Kirkland do ordain as follows:

SECTION 1

That there be and is hereby granted to Puget Sound Power & Light Company, a corporation created under the laws of Washington, hereinafter called the Grantee, and to its successors and assigns for a period of thirty (30) years from and after the passage of this ordinance the right, privilege, authority and franchise to erect, place, construct, maintain and use poles (with or without crossarms) and all convenient or necessary appurtenances, equipment and facilities for the support of the poles and for the support of wires, or underground cables together with appurtenances thereto where such underground facilities have been specially contracted for over, under, along and upon the streets, avenues, alleys and public places in the City of Kirkland, and to attach wires to such poles and crossarms and stretch such wires from pole to pole over, upon and along such streets, avenues, alleys and public places and to maintain and use such poles and wires for the purpose of the transmission and distribution of electric current for electric power, heat and light and for any other purpose for which electricity may be used and to furnish and sell electric current for power, light and heat within the City of Kirkland for municipal, domestic and manufacturing uses and for any other purpose or purposes, use or uses to which electricity may be put, and to charge and collect tolls, rates and compensation for such current, power, heat, light and other uses.

The grant hereby made is intended to, and does, include any, all and every of the streets, avenues, alleys, highways and public grounds and places of the City of Kirkland as now laid out, platted and dedicated, and all avenues, streets, alleys, highways and public grounds and places that may be hereafter laid out and dedicated within the present limits of the said City, and within the limits thereof as the same may hereafter be extended.

SECTION 2

All poles shall be erected and maintained at such places and position upon said streets, avenues, alleys and public places as shall least interfere with the free passage of traffic and in accordance with the laws of the State of Washington regulating such construction. Whenever it shall be necessary in the erection, repair, or substitution of any such poles or other apparatus to make any excavation in any street, avenue, alley or public place, said grantee, its successors and assigns shall without delay restore the surface of said street, avenue, alley or public place as nearly as practicable to the same condition it was in before the doing of such work.

SECTION 3

The said grantee, its successors and assigns shall indemnify and hold harmless the City of Kirkland against all damages, if any, that may result by reason of the construction, operation and maintenance of said poles and wires and underground facilities and the said grantee, its successors and assigns shall pay all damages for which it, they or the City of Kirkland shall be held liable resulting to any person or persons, association or corporation by reason of the construction, operation and maintenance of said pole lines and wires; provided, however, that in case any claim is filed with the City of Kirkland or any suit or action is instituted against said City by reason of any such damage or injury, the Council shall cause written notice thereof to be given said grantee and the said grantee shall have the right to defend any such suit or action.

SECTION 4

That whenever any person shall have obtained permission of the City of Kirkland to use any street of said City for the purpose of moving any building,

the grantee, its successors and assigns, upon seven (7) days' written notice from the City Clerk of said City shall raise or remove at the expense of the person desiring to move said building any of its or their wires which may obstruct the removal of such building; provided that the moving of such building shall be done in accordance with the regulations and general ordinances of the City at such reasonable hours and in such reasonable manner as shall cause least interference with the business of said grantee, its successors and assigns, and where more than one street is available for the moving of such building the building shall be moved on such street as shall cause least interference with the lines of said grantee, its successors and assigns. It is further provided that the person or persons moving such building will indemnify and save said grantee harmless of and from any and all damages or claims of whatsoever kind or nature caused directly or indirectly from such temporary arrangement of the lines and poles of the grantee.

SECTION 5

If the City of Kirkland shall acquire by purchase or condemnation during the term of this franchise any of the grantee's property erected hereunder, the addition to the sum of all other elements of value by reason of the element which is the right to occupy the public ways evidenced by this franchise, shall be no greater than the actual cost of obtaining such franchise.

SECTION 6

This franchise is granted upon the express condition that it shall not be deemed or held to be an exclusive franchise and shall not in any manner prohibit the City of Kirkland from granting other and further franchises over, upon and along any of said public streets, avenues, alleys or public places.

SECTION 7

That in order to claim any right or benefit under this ordinance said grantee shall within thirty (30) days after the passage hereof file with the City Clerk its acceptance in writing of this ordinance.

Introduced the 3rd day of June, 1963.

Passed the Council of the City of Kirkland on the 17th day of
June, 1963.

Signed by me on this 18th day of June, 1963.

Ben Duggals
Mayor of the City of Kirkland

Attest:

George E. Anderson
City Clerk

Approved as to Form

Ray L. [Signature]
City Attorney

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the City of Kirkland and that the same was published or posted according to law, said Ordinance being No. 907 and entitled "An Ordinance as above.

George E. Anderson, City Clerk."

HONORABLE MAYOR AND CITY COUNCIL
CITY OF KIRKLAND, WASHINGTON

In the matter of the Application of :
Puget Sound Power & Light Company
a corporation, for a franchise to :
construct, operate and maintain
electric transmission and distribu- :
tion lines over the streets, alleys
and public places in the City of :
Kirkland, Washington

Franchise Ordinance No. 907

ACCEPTANCE

WHEREAS, the City Council of the City of Kirkland, King County, Washington
has heretofore granted the Puget Sound Power & Light Company, a corporation,
its successors and assigns, Franchise Ordinance No. 907 bearing the date of
June 18, 1963, to construct, operate and maintain electric transmission and
distribution lines on the streets, alleys and public places in the City of
Kirkland, King County, Washington, and,

WHEREAS, a copy of such Franchise Ordinance granting said franchise was
received by the Puget Sound Power & Light Company on June 18, 1963, from said
City of Kirkland:

NOW, THEREFORE, the said Grantee, Puget Sound Power & Light Company, a
corporation, for itself, its successors and assigns, hereby accepts such
Franchise Ordinance and all the terms and conditions thereof, and files this,
its written acceptance, with the said City of Kirkland, King County, Washington.

IN WITNESS WHEREOF, said Grantee has caused its name to be hereunto sub-
scribed, its corporate seal to be hereto attached, and these presents to be
executed and delivered for and in its behalf by its proper officers and agents,
thereunto duly authorized, this 8th day of July
1963.

PUGET SOUND POWER & LIGHT COMPANY

By *R. J. Quinn*
Vice President

ATTEST:

H. King
Assistant Secretary

1/s/ Copy received July 16, 1963
City of Kirkland
George E. Anderson
Clerk