

GRANTING TO C. H. PECKHAW OF ALEXANDRIA, SOUTH DAKOTA, FOR A PERIOD OF TWENTY YEARS THE RIGHT TO CONSTRUCT AND MAINTAIN MAINS OR GAS PIPE IN THE STREETS AND ALLEYS AND PUBLIC WAYS OF THE CITY OF ALEXANDRIA, SOUTH DAKOTA, UPON THE CONDITIONS HEREIN PROVIDED

ORDINANCE NO. 49

The City Council of the City of Alexandria, South Dakota do ordain as follows:

- Sec. 1. That upon compliance of the conditions of the Ordinance, C. H. Peckhaw of Alexandria, South Dakota, his successors and assigns are hereby granted the privilege for a period of twenty years to place, construct and maintain all through and under the streets and alleys, public grounds, ways and bridges of said City all mains and other fixtures proper and necessary for supplying to the City and to the citizens thereof gas for illumination, heating and cooking.
- Sec. 2. That all mains and fixtures of the street committee so as to avoid danger to persons and adjoining property and so as not to interfere with the proper use of said streets for other lawful purposes, and so not to interfere with the constructions, placing on proper maintenance of any water pipe, drain or sewer pipe that has been or may be authorized by said City , and in case of bringing any parts of said City to grade or change of grade, the sidewalks or cubicles of any street or alleys whereon any such mains or gas pipe may have been laid. The said C. H. Peckhaw, his successors or assigns agree to conform to such change.
- Sec. 3. That in constructing and maintaining a gas system for illuminating, heating and cooking in Alexandria, South Dakota the said C. H. Peckhaw shall have the right and is hereby granted the exclusive privilege of maintaining such gas system and furnishing to the city and citizens of Alexandria, South Dakota, gas for illumination, heating and cooking provided, however, that it shall in no case be for a period of more than twenty years and provided further, that he furnish said gas for illumination, heating and cooking as reasonable as it is furnished to the majority of the surrounding cities of citizens thereof under like conditions.
- Sec. 4. Provided further that the right order this Ordinance shall be waived unless within one year after the granting thereof the said C. H. Peckhaw or his assigns shall construct and maintain a gas system in the City of Alexandria, South Dakota, composed of not less than 12 blocks of gas pipe.
- Sec. 5. This Ordinance shall be published according to law at the expense of said C. H. Peckhaw and shall take effect only on filing in the office of the City Clerk in the said City, within fifteen days after the first publication thereof the written acceptance of this Ordinance by the said C. H. Peckhaw.
- Sec. 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed this 13th day of November 1905.

Approved this 13th day of November 1905.

F. Thirl
Mayor