Dent

ORDINANCE NO. 206

An Ordinance granting to the public utilities corporation of Arkansas an extension of time for filing plat and bond required by Section X of ordinance 201 of the City of Atkins, Arkansas, passed by the City Council of said city on Oct. 28, 1926, and for other purposes.

Be it ordained by the city council of Atkins, Arkansas: Be it ordained by the people of Atkins, Arkansas:

Whereas, on the 28th day of October, 1926, ordinance No. 201 was passed by the City Council of Atkins, Arkansas, and approved, granting to the public utilities corporation of Arkansas an exclusive franchise for the distribution and sale of gas within the City of Atkins for a period of twenty-five years from date of the passage of said ordinance.

Whereas, Section X of said ordinance as originally passed and approved provided that the grantee in said franchise should file a plat of the proposed distributing system to be installed in the City of Atkins with the recorder of said city on or before May 1, 1927, together with a bond in the sum of Twenty Thousand ($20,000.00) Dollars payable to the City of Atkins, to assure the completion of said gas distributing system by November, 1, 1927.

Whereas, a subsequent ordinance passed by the council of the City of Atkins extended the time for filing said plat and bond to November 1, 1927, and provided that the said ordinance No. 201 should remain in full force and effect with said extension of time.

Whereas, Section X of said ordinance further provides that upon the grantees failure to comply with any of the conditions of said Section, the said franchise granted by said ordinance shall be by that fact rendered nuall and void and the rights of all persons thereunder shall immediately terminate, and,

Whereas, the public utilities corporation of Arkansas has encountered unanticipated difficulties in obtaining a supply of gas sufficient to justify the transportation of gas to, and the distribution of gas within the City of Atkins, Arkansas, which has rendered it impractical for said company to begin the construction of a gas distributing system within the City of Atkins at this time.

Now, therefore, be it ordained that the grantee in the franchise above mentioned be, and it is hereby allowed an additional period of six months from the first day of November, 1927, for filing the above mentioned bond and plat as required by the provisions of Section X of the original ordinance and to begin the work of constructing its gas distributing system, said system to be completed, however,

by November 1, 1928, and it is further ordained that said Ordinance No. 201 above referred to shall remain in full force and effect as to all its terms with the extension of time hereby granted, and the City of Atkins does hereby waive any and all defaults of the grantee under the franchise contained in said Ordinance No. 201 and/or supplemental ordinances, which have occurred prior to the passage of this ordinance.

The public utilities corporation of Arkansas shall accept the provisions of this ordinance by written notice to that effect, addressed to and filed with the City Recorder of Atkins, Arkansas, within five days of the passage and approval of this ordinance.

Passed and approval on this the 31st day of October, 1927.

E. L. Hendrick — City Recorder

E. A. Williams, — Mayor