

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

Section 1. Be it ordained by the Town Council of the Town of Golden Beach, Florida, 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 Golden Beach, Florida, as its business may from time to time require, provide 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 streets 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 crossarm for, wires of the police and fire alarm signaling 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 signaling 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 of 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 right or power to pass ordinances regulating the use of its streets.

Section 7. This ordinance shall be in force and effect for a term of thirty (30) years from and after its passage, and the Town hereby reserves the right and requires the said Company, as a condition precedent to the taking effect of this grant, to give and grant to the Town of Golden Beach, Florida, the right, at and after the expiration of such term, to purchase the telephone and telegraph plant or other property in said Town used under or in connection with this grant, or such part of such property as the municipality may desire to purchase at a valuation of the property, real and personal, desired, which valuation shall be fixed by arbitration, as may be provided by law; and the acceptance of this ordinance shall operate as a grant by the said Company to the Town of said right to purchase.

Section 8. This Ordinance shall take effect and become a law from and after its passage and approval by the Mayor and its publication and submission

and approval at an election to be held in the Town of Golden Beach, pursuant to Chapter 11066 of the Special Acts of 1929, Laws of Florida.

Read first time, December 18th, 1951.
Read second time, November 18th, 1951.
Read third time and passed, January 24th, 1952.

Wesley M. Perry
President of Town Council

P.H. Stearns
Mayor

Approved this _____ day of _____, 195__

ATTEST:
Charles F. Kunkin
Town Clerk

(CITY SEAL)

I, Town Clerk of the Town of Golden Beach, Florida, hereby certify that the above and foregoing is a true and correct copy of an ordinance passed at a meeting of the Town Council of the Town of Golden Beach, Florida, held on the _____ day of _____, 195__ and approved by the Mayor on the _____ day of _____, 195__.

I further certify that the foregoing ordinance was, after its passage by said Town Council, posted at the Town Hall of said Town and at two other conspicuous places, to wit, at _____ in said Town, for a period of thirty (30) days; and that said Ordinance was duly ratified and approved by the affirmative vote of a majority of the qualified voters of said Town of Golden Beach, Florida, voting at an election duly called for that purpose and held on the _____ day of _____, 195__; all as provided by law.

Witness my hand and the seal of the Town of Golden Beach, Florida, this _____ day of _____, 195__.

Town Clerk

(TOWN SEAL)

STATEMENT BY SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
TO VOTERS OF THE TOWN OF GOLDEN BEACH, FLORIDA

The Southern Bell Telephone and Telegraph Company has asked for a thirty (30) year franchise in the Town of Golden Beach. The Ordinance granting this franchise has been duly passed by the Town Council but the question of whether or not the Company shall have the franchise must, under the law, be submitted to the qualified voters of the Town at an election called for that purpose. The vote of the majority of the qualified voters voting in the election is necessary for the Ordinance to become effective.

The purpose of the Company in asking for this municipal franchise is to obtain municipal action formally recognizing the telephone service being rendered to its subscribers and the right of the Company to construct, maintain and operate lines on, along, under, and over the streets of the Town for the purpose of rendering that service.

Will (Comm. Eng. Howard F. King, Reg.)
The Company ~~expects~~ to continue its present policy of making such improvements, such as expansion of facilities, as are necessary to meet the demands for telephone service to the extent permitted by all of the related circumstances. These extensions may be of both overhead and underground types of construction depending upon the area to be served. It is expected that the major portion of planned extensions will be in the streets of the Town.

The Company cannot commit itself to the placing of any particular lines underground at any particular time but will always be conscious of its obligation to place lines underground when required in the interest of public safety. At the present, the Company's facilities in Golden Beach are almost entirely underground. It has been the policy of the Company, in constructing new facilities and in replacing old facilities along the public streets to place them underground whenever feasible to do so.

The location of the customer to be served controls to a large degree what type of extension is required to provide service to individual applicants. Streets will be used in most extensions planned within the incorporated limits and such extensions will be made at the expense of the Telephone Company. The proposed franchise relates only to the use of the public streets of the Town and does not apply to the placing by the Company of its lines on private property; of course, applicants must permit the Company to construct service lines from the streets across their property to the point of installation at no cost to the Company for such right of way. In addition, there might be individual cases where, to provide service to an individual applicant, it would be necessary for the applicant to pay all or a part of the cost of providing him with service, including any necessary right of way.

The Company will replace or properly relay and repair any sidewalk or street that may be displaced by reason of its work.

Lawrence S. Young
Maini Beach Manager
Southwest Beach Res. & Dev. Co.