

ORDINANCE NO. 1003

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE
AUTHORIZING THE APPROPRIATE OFFICIALS TO ENTER
INTO A CONTRACT WITH BELL TELEPHONE COMPANY FOR
THE PURPOSE OF ESTABLISHING A RIGHT-OF-WAY TO
BELL TELEPHONE

BE IT ORDAINED AND ENACTED by the Municipality of Monroeville, in
Council assembled as follows:

SECTION I. That the appropriate officials of the Municipality of
Monroeville are hereby authorized to enter into a contract with Bell Telephone
Company for the purpose of establishing a right-of-way to Bell Telephone. A
copy of the contract is attached hereto and made a part hereof and marked
Exhibit "A".

ORDAINED AND ENACTED this 10th day of February, 1976.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond
Manager

S/ R. E. Droske
Mayor

Entered in Legal Book February 19, 1976

Received of THE BELL TELEPHONE COMPANY OF PENNSYLVANIA, the sum of One Dollar (\$1.00) in consideration of which the Municipality of Monroeville, Pennsylvania, hereby grants unto said Company, its successors and assigns, lessees and agents, the right, privilege and authority to construct, maintain, operate, inspect and from time to time reconstruct, rearrange, replace, renew and thereafter maintain, operate and inspect an interface equipment cabinet and aerial and underground communication lines, appliances, conduits, poles, anchors, cables and wires (hereinafter referred to as utility facilities) on, over, under, along and across the land of the Municipality in the Municipality of Monroeville, Allegheny County, Pennsylvania, as shown on drawing marked Exhibit A, attached hereto and made part hereof.

Owner further grants right of access over said land to or from said utility facilities by Telephone Company employees and equipment, for the purposes set forth above, by any reasonable route over said land, including but not limited to private lanes, roads or driveways and the right to make such alterations in said land as mutually agreed is necessary to construct said utility facilities.

Owner further grants the exclusive use of that portion of said land not to exceed 10 feet in length by 10 feet in width upon which said interface equipment cabinet is centrally located. Said utility facilities shall remain the property of Telephone Company which shall, at all times, retain the right to remove same.

The said utility facilities shall be installed in a good and workman-like manner by and at the expense of the said Telephone Company.

The said Telephone Company shall indemnify and save harmless the owner and tenants of said premises from all damages caused by the negligence of its employees in the installation, maintenance or removal of said utility facilities.

This agreement shall take effect at the expiration of thirty (30) days from the date when a copy thereof shall be filed in the office of the Secretary of the Pennsylvania Public Utility Commission; provided that if the said Commission shall, prior to the expiration of such period, institute a proceeding affecting its validity under the provisions of Section 911, Article IX of the Public Utility Law, this agreement shall become effective only upon the approval thereof by the said Commission.

IN WITNESS WHEREOF, the Borough of Monroeville has caused this instrument to be executed, duly attested this 10th day of February, A.D., 1976.

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond
Manager

By S/ R. E. Droske
Mayor

COMMONWEALTH OF PENNSYLVANIA)) SS:
COUNTY OF ALLEGHENY)

On the 10th day of February, A.D., 1976, before me, the undersigned Notary Public, personally appeared R. E. Droske who acknowledged himself to be Mayor of the Municipality of Monroeville and that he as such Mayor, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the Municipality by himself as such Mayor.

IN WITNESS WHEREOF, I hereunto set my hand and Notorial Seal.

(SEAL)

S/ Helen P. Tucker
Notary Public

BE IT RESOLVED, by the Council of the Municipality of Monroeville, Allegheny County, Pennsylvania, that an agreement with The Bell Telephone Company of Pennsylvania, granting permission to the Telephone Company to construct, reconstruct, operate and maintain aerial and underground communication facilities on land of the Municipality in Allegheny County, Pennsylvania, was, on behalf of the aforementioned Municipality, properly executed as required by the law.

Adopted this 10th day of February, A.D., 1976.

ATTEST:

S/ Marshall W. Bond
Manager

Approved this 10th day of February, A.D., 1976.

S/ R. E. Droske
Mayor

I HEREBY CERTIFY that the foregoing is a true and correct copy of an ordinance adopted by the Council of the Municipality of Monroeville on the 10th day of February A.D., 1976 and approved by the Mayor on the 10th day of February A.D., 1976.

(SEAL)

S/ Marshall W. Bond
Manager

PENNSYLVANIA PUBLIC UTILITY COMMISSION

I hereby certify that the agreement between the Municipality of Monroeville, County of Allegheny, Pennsylvania and The Bell Telephone Company of Pennsylvania, executed February 10, A.D., 1976, granting permission to the Telephone Company to construct and maintain aerial and underground communication facilities on land of the Municipality, in Allegheny County, Pennsylvania, was, on behalf of the aforementioned Municipality properly executed as required by law.

(SEAL)

S/ Marshall W. Bond
Manager

The unilateral grant of right of way executed on behalf of the Municipality of Monroeville under the date of February 10, 1976 is hereby accepted.

ATTEST:

THE BELL TELEPHONE COMPANY OF
PENNSYLVANIA

Assistant Secretary