ORDINANCE NO. 156 Amended

AN ORDINANCE GRANTING TO **POLAR COMMUNICATIONS MUTUAL AID CORPORATION, DBA POLAR COMMUNICATIONS**, AND IT SUCCESSORS AND ASSIGNS, THE RIGHT TO USE AND OCCUPY THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF THE CITY OF MICHIGAN, NORTH DAKOTA, FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING AND OPERATING THEREIN NETWORK FACILITIES FOR THE PURPOSE OF PROVIDING COMMUNICATIONS SERVICES AND TRANSMITTING AND DISTRIBUTING TELEVISION AND RADIO SIGNALS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MICHIGAN, NORTH DAKOTA:

Section 1. That Polar Communications, a corporation, whose post office address is Park River, North Dakota, its successors and assigns, is hereby granted the right to use and occupy the streets, alleys and other public places of the City of MICHIGAN, North Dakota, for a term of twenty-five (25) years from the date this Ordinance becomes effective for the purpose of constructing, maintaining and operating network facilities within said City of MICHIGAN, North Dakota.

Section 2. That Polar Communications will use the network facilities for purposes of providing Telecommunications Services, Television Services, and / or Broadband Services to the inhabitants of said City where available.

Section 3. That any rights granted herein will replace in their entirety any rights previously granted to Polar Communications by the City of MICHIGAN, North Dakota.

Section 4. That the rights herein granted are subject to the exercise of the police power of the City of MICHIGAN, North Dakota.

Section 5. That said Polar Communications shall, upon demand, pay the cost of publication of this Ordinance.

Section 6. If at any time the city of MICHIGAN shall desire to connect with the facilities owned by Polar Communications and Polar Communications provides Television Services in MICHIGAN, one basic Television Service connection shall be provided to the City Offices of the City of MICHIGAN for such period as the City shall so desire.

Section 7. That this Ordinance shall be in full force and effect, and shall constitute an effective contract between the City of MICHIGAN, North Dakota, and said Polar Communications when it shall have been enacted and published according to law; and when the provisions hereof shall have been accepted in writing by said Polar Communications, and such acceptance filed in the office of the City Auditor.

FIRST READING: 2 - 1, 2016

SECOND READING AND FINAL PASSAGE: 3-14, 2016