

AN ORDINANCE WHEREBY THE TOWN OF BETHEL HEIGHTS, BENTON COUNTY, ARKANSAS, A MUNICIPAL CORPORATION, AND THE SPRINGDALE WATER AND SEWER COMMISSION, A QUASI MUNICIPAL CORPORATION, AGREE THAT THE SPRINGDALE WATER AND SEWER COMMISSION SHALL CONSTRUCT, OPERATE AND MAINTAIN A WATER DISTRIBUTION SYSTEM AND APPURTANCES ALONG, ACROSS, ON, OVER, THROUGH AND UNDER PUBLIC STREETS, AVENUES, ALLEYS, PUBLIC GROUNDS AND PLACES EXCLUSIVELY WITHIN THE CORPORATE LIMITS OF BETHEL HEIGHTS AND REPEALING ALL ORDINANCES AND AGREEMENTS IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BETHEL HEIGHTS, BENTON COUNTY, ARKANSAS:

SECTION 1: The Springdale Water and Sewer Commission, its successors and assigns is hereby given and granted an exclusive franchise to construct, operate and maintain a water distribution system within the corporate limits of the Town of Bethel Heights, Benton County, Arkansas, beginning on the 20th day of March, 1973.

SECTION 2: The Springdale Water and Sewer Commission, its successors and assigns is hereby given an easement, right-of-way and privilege of constructing and maintaining a water distribution system and lines along, on, over, through, above and under public streets, avenues, alleys, public grounds and places within the Corporate Limits of the Town of Bethel Heights, Arkansas.

SECTION 3: Permission is hereby granted to the Springdale Water and Sewer Commission to lay and relay, construct and reconstruct said lines and water distribution system and to increase the size of said lines and to remove or cause to be removed any structures, either temporary or permanent from the public streets, avenues, alleys, public grounds and places within the Corporate Limits of the Town of Bethel Heights.

That the Springdale Water and Sewer Commission shall not be obligated to replace, repair or reconstruct any structure removed from a street, avenue, alley, public ground or place during the construction, repair, laying or relaying of the Water Distribution system.

SECTION 4: That the exclusive franchise given and granted hereby shall be without charge or franchise tax.

SECTION 5: All ordinances and agreements and parts of Ordinances and agreements relating to the operation of a water distribution system in conflict herewith are hereby specifically repealed.

SECTION 6: If any section, paragraph or phrase of this Ordinance shall be declared invalid, such invalid portions shall have no force or effect upon the remaining portions hereof and such remaining portions shall be construed as an ordinance in its entirety.

SECTION 7: This ordinance shall be in full force and effect after its passage, approval and publication and acceptance by the Springdale Water and Sewer Commission.

SECTION 8: The Springdale Water and Sewer Commission shall have 10 days after the passage and approval of this Ordinance to file its written acceptance with Clerk and upon such acceptance being filed, this Ordinance shall be considered taking effect from its passage, approval and publication.

Passed and approved this the 12th day of MAR.,
19 73.

Bernard C. Mayhew
MAYOR

ATTEST:

Oretta J. Clark
Clerk

