

ORDINANCE NO. 00-01

AN ORDINANCE APPROVING AN ASSIGNMENT OF THE OPERATING CONTRACT FROM WEST RIVER COMMUNICATIONS, INC. TO WEST RIVER TELECOMMUNICATIONS COOPERATIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA, AS FOLLOWS:

WHEREAS, on September 5, 1995 it was ordained by the City Council of the City of Hebron that US West Communications, Inc., its successors and assigns, were granted the right to use and occupy the streets, alleys and other public places of the City of Hebron, North Dakota, for a term of ten (10) years for the purposes of constructing, maintaining and operating a general telephone system within the City of Hebron; and

WHEREAS, on May 31, 1996 the above referenced operating contract was assigned to and assumed by West River Communications, Inc., a North Dakota corporation/cooperative pursuant to Assumption Agreement of the same date. See copy of Assumption Agreement attached hereto and incorporated herein by reference; and

WHEREAS, on January 1, 2000 the above referenced operating contract was assigned to and assumed by West River Telecommunications Cooperative pursuant to Assignment and Assumption Agreement of the same date. See copy of Assignment and Assumption Agreement attached hereto and incorporated herein by reference; and

WHEREAS, said West River Communications, Inc. and West River Telecommunications Cooperative have requested the City Council of the City of Hebron to acknowledge the above referenced January 1, 2000 Assignment and Assumption Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HEBRON AS FOLLOWS:

- Section 1: The City of Hebron consents to the above referenced transaction and does acknowledge the January 1, 2000 Assignment and Assumption Agreement wherein West River Telecommunications Cooperative is assigned and assumes the above referenced operating contract for the general telephone system within the City of Hebron.
- Section 2: All Ordinances or parts of Ordinances in conflict herewith are hereby rescinded and repealed.
- Section 3: This Ordinance shall be in full force and effect from and after its final passage and approval.
- Section 4: If any provision of this Ordinance or its application to any person or

circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

Margaret Nolte
Margaret Nolte, Mayor

ATTEST:

Stacey G. Rebel
Stacey G. Rebel, City Auditor

Introduction and First Reading: April 3, 2000

Second Reading and Final Passage: May 1, 2000

ORDINANCE NO. 00-01

AN ORDINANCE APPROVING AN ASSIGNMENT OF THE OPERATING CONTRACT FROM WEST RIVER COMMUNICATIONS, INC. TO WEST RIVER TELECOMMUNICATIONS COOPERATIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA, AS FOLLOWS:

WHEREAS, on September 5, 1995 it was ordained by the City Council of the City of Hebron that US West Communications, Inc., its successors and assigns, were granted the right to use and occupy the streets, alleys and other public places of the City of Hebron, North Dakota, for a term of ten (10) years for the purposes of constructing, maintaining and operating a general telephone system within the City of Hebron; and

WHEREAS, on May 31, 1996 the above referenced operating contract was assigned to and assumed by West River Communications, Inc., a North Dakota corporation/cooperative pursuant to Assumption Agreement of the same date. See copy of Assumption Agreement attached hereto and incorporated herein by reference; and

WHEREAS, on January 1, 2000 the above referenced operating contract was assigned to and assumed by West River Telecommunications Cooperative pursuant to Assignment and Assumption Agreement of the same date. See copy of Assignment and Assumption Agreement attached hereto and incorporated herein by reference; and

WHEREAS, said West River Communications, Inc. and West River Telecommunications Cooperative have requested the City Council of the City of Hebron to acknowledge the above referenced January 1, 2000 Assignment and Assumption Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HEBRON AS FOLLOWS:

- Section 1: The City of Hebron consents to the above referenced transaction and does acknowledge the January 1, 2000 Assignment and Assumption Agreement wherein West River Telecommunications Cooperative is assigned and assumes the above referenced operating contract for the general telephone system within the City of Hebron.
- Section 2: All Ordinances or parts of Ordinances in conflict herewith are hereby rescinded and repealed.
- Section 3: This Ordinance shall be in full force and effect from and after its final passage and approval.
- Section 4: If any provision of this Ordinance or its application to any person or

circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

Margaret Nolte
Margaret Nolte, Mayor

ATTEST:

Stacey G. Rebel
Stacey G. Rebel, City Auditor

Introduction and First Reading: April 3, 2000

Second Reading and Final Passage: May 1, 2000