

AN ORDINANCE GRANTING THE KANSAS CITY POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR THE FULL TERM OF TWENTY YEARS, THE RIGHT, AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT AND MAINTAIN IN THE CITY OF WESTWOOD HILLS, KANSAS, ALL WORKS AND PLANTS NECESSARY AND REQUISITE TO CARRY ON A GENERAL POWER AND LIGHT BUSINESS FOR THE PURPOSE OF SUPPLYING THE COMMUNITY AND NEIGHBORHOOD IN THE VICINITY THEREOF WITH ELECTRIC OR OTHER ENERGY, AND GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS, AVENUES, LANES AND OTHER PUBLIC PLACES THEREFOR.

WHEREAS, the Kansas City Power & Light Company is a corporation duly created, organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy, and

WHEREAS, Kansas City Power & Light Company is now, and has been for many years, the owner and operating, a system for the transmission of electric current between the City of Westwood Hills and many other incorporated cities within the State of Kansas, which system passes into and through the City of Westwood Hills, Kansas, and has been, over such system, furnishing electric current to the inhabitants of the City of Westwood Hills, Kansas and both parties hereto desire that Kansas City Power & Light Company shall continue to furnish electric energy to the City of Westwood Hills, and its inhabitants.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

SECTION I. In order to promote the welfare, comfort and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city, and the inhabitants thereof from the construction and operation of an electric light and power works and plant, and in further consideration of the supplying of electrical energy hereby secured to the public, there is hereby granted to Kansas City Power & Light Company, a corporation, duly created, organized and existing under and by virtue of the laws of the State of Missouri, and doing business under the laws of the State of Kansas as a foreign corporation, and unto its successors and assigns for the full term of twenty years from the date hereof, the right, authority, power and franchise to establish, construct, operate and maintain in the City of Westwood Hills, all works and plants necessary and requisite to carry on a general power and light business, and all other operations connected therewith or incident thereto for the purpose of supplying the community and neighborhood in the vicinity thereof with electrical energy in such forms as may be reasonably required for domestic, manufacturing, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute the same by pole and wire lines, transmission lines, or otherwise; and for any and all of said purposes, it is authorized to construct or set poles carrying wires and cables above ground, lamp posts, poles, anchors and guys on all of the streets, alleys, avenues or other public places or thoroughfares, and to construct, erect and maintain all necessary buildings, machinery and attachments of any and every kind and description and for any and all of said purposes, may enter upon any and all of the streets, alleys, avenues and other public grounds within the corporate limits of the City of Westwood Hills as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under its jurisdiction, and to make such excavation within as may be necessary for the construction of its pole lines and transmission lines and the repair and renewal thereof during the continuance of the franchise hereby granted.

SECTION II. Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the City Council of said city under permits issued for the work, and shall be made and done in such manner as to give the

least inconvenience to the inhabitants of the city and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

SECTION III. The Kansas City Power & Light Company shall have the right and power to fix, charge, collect and receive reasonable rates for services rendered. In case the rates fixed and charged by Kansas City Power & Light Company, or any of said rates, shall be deemed by such authorities as under the law can act, to be unjust and unreasonable, then such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

All bills to the consumers shall be rendered at intervals of approximately thirty (30) days, except the Kansas City Power & Light Company may render bills more often if deemed necessary to insure payment for its services to any particular consumer and bills thus rendered shall be payable at any office or collection agency of the Kansas City Power & Light Company on or before ten (10) days after the date of said bill.

SECTION IV. The Kansas City Power & Light Company shall at all times during the term of this franchise supply to consumers of electric energy, residing in the City of \_\_\_\_\_, such electric energy as they may require and shall extend its lines in accordance with the rules and regulations as filed from time to time with the Kansas Corporation Commission or its successors.

SECTION V. The amount of energy consumed shall be determined by meter measurements unless the Kansas City Power & Light Company shall, at its option, contract for the sale of energy in special cases on some other basis. The City Council shall have the right to select a meter inspector and prescribe his duties, and if any meter furnished by Kansas City Power & Light Company is found, upon inspection and test, to be incorrect in its measurements, the Company shall forthwith upon notice correct the same or immediately supply an accurate meter.

Meters and all appliances and fixtures of the Company located upon the premises of a customer shall be made and remain the property of the Kansas City Power & Light Company, and the authorized representative shall at all reasonable times have access to said premises for the purpose of reading said meters and for the purpose of inspecting, repairing or renewing or altering or removing any or all of said property.

SECTION VI. All poles and wires shall be erected in accordance with the rules and regulations of the Kansas Corporation Commission as set out in docket #1944 and any amendments thereto.

All poles carrying said wires shall be placed in such manner as to interfere and obstruct the ordinary use of the streets, alleys, lanes and highways of said city, as little as possible, and as not to interfere with any gas, water main or sewer now or hereafter to be laid out or constructed in or under said streets, alleys, lanes and highways of said town.

SECTION VII. The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of each day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are specifically exempted from the terms of this Section.

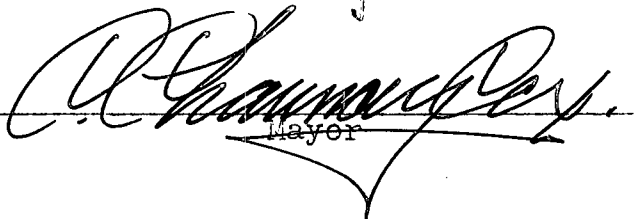
SECTION VIII. The Kansas City Power & Light Company shall at all times protect and save harmless the City of Westwood Hills from all damages or loss to person and property for or arising out of or by reason of the construction, maintenance or operation of the plant of the Kansas City Power & Light Company.

SECTION IX. As a further consideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of June and the 31st day of December of each year in which this franchise is effective, issue a credit amounting to five (5%) percent of its gross receipts from the sale of electric energy used within the present or future boundaries of the city, of Westwood Hills, for domestic, commercial, and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceding May 31 and November 30, respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this Section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial such as the electrical energy used by public utilities, telephone, telegraph, and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usages have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

SECTION X. All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns, whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

SECTION XI. That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided.

Passed and approved this 3 day of April 1950

  
Mayor

Attest:

  
City Clerk

Ordinance No. 20 of the City of Westwood Hills, Kansas, entitled AN ORDINANCE GRANTING THE KANSAS CITY POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR THE FULL TERM OF TWENTY YEARS, THE RIGHT, AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT AND MAINTAIN IN THE CITY OF WESTWOOD HILLS, KANSAS, ALL WORKS, AND PLANTS NECESSARY AND REQUISITE TO CARRY ON A GENERAL POWER AND LIGHT BUSINESS FOR THE PURPOSE OF SUPPLYING THE COMMUNITY AND NEIGHBORHOOD IN THE VICINITY THEREOF WITH ELECTRIC OR OTHER ENERGY, AND GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS, AVENUES, LANES AND OTHER PUBLIC PLACES THEREFOR, which had been introduced and read the first time at the meeting of this governing body held on March 6, 1950, was now presented for further consideration.

The Mayor and City Clerk reported to the Council that pursuant to the direction of the governing body of the city of Westwood Hills, Kansas, taken at its regular session on March 6, 1950, they had caused to be published, notice of the proposition to pass such ordinance and to grant the franchise contained therein. Such notice had been published for a period of twenty days in the Johnson County Herald, a newspaper of general circulation within the City of Westwood Hills, Kansas. There was presented to the governing body of said city the duly verified and executed proof of publication of such notice, which had been first published in said newspaper upon the 9th day of March, and also upon the 16th day of March, upon the 23rd day of March, and upon the 30th day of March, 1950.

Upon motion, the publication of such notice, and the proposition to grant the franchise contained therein, was unanimously approved.

The City Clerk reported that within the twenty days covered by such publication, and to this date, no petition had been filed asking the city authorities to submit the question of the granting of said franchise to a vote of the electors of such city, and the consideration of such ordinance was then proceeded with.

Whereupon, Councilman Lucy moved that such ordinance again be read, considered by sections, (and as a whole, and placed upon its final passage. The motion prevailed, all of the councilmen voting yea.

The ordinance was then read, considered by sections, each section being adopted separately, and was then considered as a whole, the question being, "Shall the Ordinance Pass?" A vote was then taken and resulted as follows: Yea Littell

May Lucy Bope None

A Majority of the councilmen elect voting in favor of the passage of such ordinance, the Mayor declared the ordinance duly passed.



furnish electric energy to the City of Westwood Hills, and its inhabitants.

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SECTION I. In order to promote the welfare, comfort and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city, and the inhabitants thereof from the construction and operation of an electric light and power works and plant, and in further consideration of the supplying of electrical energy hereby secured to the public, there is hereby granted to Kansas City Power & Light Company, a corporation, duly created, organized and existing under and by virtue of the laws of the State of Missouri, and doing business under the laws of the State of Kansas as a foreign corporation, and unto its successors and assigns for the full term of twenty years from the date hereof, the right, authority, power and franchise to establish, construct, operate and maintain in the City of Westwood Hills, all works and plants necessary and requisite to carry on a general power and light business, and all other operations connected therewith or incident thereto for the purpose of supplying the community and neighborhood in the vicinity thereof with electrical energy in such forms as may be reasonably required for domestic, manufacturing, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute the same by pole and wire lines, transmission lines, or otherwise; and for any and all of said purposes, it is authorized to construct or set poles carrying wires and cables above ground, lamp posts, poles, anchors and guys on all of the streets, alleys, avenues or other public places or thoroughfares, and to construct, erect and maintain all necessary buildings, machinery and attachments of any kind and every kind and description and for any and all of said purposes, may enter upon any and all of the streets, alleys, avenues and other public grounds within the corporate limits of the City of Westwood Hills as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under its jurisdiction, and to make such excavation within as may be necessary for the construction of its pole lines and transmission lines and the repair and renewal thereof during the continuance of the franchise hereby granted.

SECTION II. Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the City Council of said city under permits issued for the work, and shall be made and done in such manner as to give the least inconvenience to the inhabitants of the city and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

SECTION III. The Kansas City Power & Light Company shall have the right and power to fix, charge, collect and receive reasonable rates for services rendered. In case the rates fixed and charged by Kansas City Power & Light Company, or any of said rates, shall be deemed by such authorities as under the law can act, to be unjust and unreasonable, then such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

All bills to the consumers shall be rendered at intervals of approximately thirty (30) days, except the Kansas City Power & Light Company may render bills more often if deemed necessary to insure payment for its services to any particular consumer and bills thus rendered shall be payable at any office or collection agency of the Kansas City Power & Light Company on or before ten (10) days after the date of said bill.

SECTION IV. The Kansas City Power & Light Company shall at all times during the term of this franchise supply to consumers of electric energy, residing in the City of Westwood Hills, such electric energy as they may require and shall extend its lines in accordance with the rules and regulations as filed from time to time with the Kansas Corporation Commission or its successors.

SECTION V. The amount of energy consumed shall be determined by meter measurements unless the Kansas City Power & Light Company shall, at its option, contract for the sale of energy in special cases on some other basis. The City Council shall have the right to select a meter inspector and prescribe his duties, and if any meter furnished by Kansas City Power & Light Company is found, upon inspection and test, to be incorrect in its measurements, the Company shall forthwith upon notice correct the same or immediately supply an accurate meter.

Meters and all appliances and fixtures of the Company located upon the premises of a customer shall be made and remain the property of the Kansas City Power & Light Company, and the authorized representative shall at all reasonable times have access to said premises for the purpose of reading said meters and for the purpose of inspecting, repairing or renewing or altering or removing any or all of said property.

SECTION VI. All poles and wires shall be erected in accordance with the rules and regulations of the Kansas Corporation Commission as set out in docket No. 1944 and any amendments thereto.

All poles carrying said wires shall be placed in such manner as to interfere and obstruct the ordinary use of the streets, alleys, lanes and highways

of said city, as little as possible, and as not to interfere with any gas, water main or sewer now or hereafter to be laid out or constructed in or under said streets, alleys, lanes and highways of said town.

SECTION VII. The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of each day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are, specifically, exempted from the terms of this Section.

SECTION VIII. The Kansas City Power & Light Company shall at all times protect and save harmless the City of Westwood Hills from all damages or loss to person and property for or arising out of or by reason of the construction, maintenance or operation of the plant of the Kansas City Power & Light Company.

SECTION IX. As a further consideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of June and the 31st day of December of each year in which this franchise is effective, issue a credit amounting to five (5%) percent of its gross receipts from the sale of electric energy used within the present or future boundaries of the city, of Westwood Hills, for domestic, commercial, and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceding May 31 and November 30, respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this Section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial such as the electrical energy used by public utilities, telephone, telegraph, and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usages have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

SECTION X. All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns, whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

SECTION XI. That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided.

Passed and approved this..... day of.....

..... Mayor

Attest:.....

City Clerk

This notice is given in accordance with the provisions of Section 12-824 of the Revised Statutes of Kansas for 1935.

C. CHAUNCEY COX  
Mayor

ORA M. AMBERG  
City Clerk

(SEAL)

(First Published in Johnson County Herald, Thursday, March 12, 1950)

STATE OF KANSAS  
COUNTY OF JOHNSON, SS:

IN THE PROBATE COURT OF  
SAID COUNTY AND STATE

In the Matter of the Estate of Josephine E. Clark, deceased.

No. 2434

NOTICE TO CREDITORS

Notice is hereby given that Earl Clark was duly appointed and qualified as executor of the Will of Josephine E. Clark, deceased, on the 17th day of February, 1950, and that Letters Testamentary have been issued to him as such executor; that all persons having demands or claims against said estate must exhibit them within nine (9) months from the 9th day of March, 1950, as provided by law, and if not exhibited with such time, they shall be forever barred.

Dated this 6th day of March, 1950.

EARL CLARK  
Executor of the Estate of  
Josephine C. Clark, deceased

Arthur L. Jones  
Attorney for Executor  
Overland Park, Kansas  
HE-1731

44-45-46

(First Published in Johnson County Herald, Thursday, March 9, 1950)

TO THE ELECTORS OF THE CITY  
OF WESTWOOD HILLS, KANSAS.

You are hereby notified that the Governing Body of the City of Westwood Hills, Kansas, being the mayor and councilmen thereof, proposes to grant to Kansas City Power & Light Company a franchise to operate and maintain an electric system for the supplying of electric current to the City of Westwood Hills and its inhabitants. Such proposed franchise is contained in Ordinance Numbered 20 of the City of Westwood Hills, Kansas, and reads as follows:

ORDINANCE NO. 20

AN ORDINANCE GRANTING THE KANSAS CITY POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR THE FULL TERM OF TWENTY YEARS, THE RIGHT, AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT AND MAINTAIN IN THE CITY OF WESTWOOD HILLS, KANSAS, ALL WORKS AND PLANTS NECESSARY AND REQUISITE TO CARRY ON A GENERAL POWER AND LIGHT BUSINESS FOR THE PURPOSE OF SUPPLYING THE COMMUNITY AND NEIGHBORHOOD IN THE VICINITY THEREOF WITH ELECTRIC OR OTHER ENERGY, AND GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS, AVENUES, LANES AND OTHER PUBLIC PLACES THEREFOR.

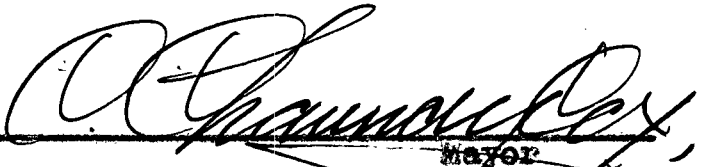
WHEREAS, the Kansas City Power & Light Company is a corporation duly created, organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy, and

WHEREAS, Kansas City Power & Light Company is now, and has been for many years, the owner and operating, a system for the transmission of electric current between the City of Westwood Hills and many other incorporated cities within the State of Kansas, which system passes into and through the City of Westwood Hills, Kansas, and has been, over such system, furnishing electric current to the inhabitants of the City of Westwood Hills, Kansas, and both parties hereto desire that Kansas City Power & Light Company shall continue to

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This notice is given in accordance with the provisions of Section 12-824 of the Revised Statutes of Kansas for 1935.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



TO THE ELECTORS OF THE CITY OF WESTWOOD HILLS, KANSAS.

You are hereby notified that the Governing Body of the City of Westwood Hills, Kansas, being the mayor and councilmen thereof, proposes to grant to Kansas City Power & Light Company a franchise to operate and maintain an electric system for the supplying of electric current to the City of Westwood Hills and its inhabitants. Such proposed franchise is contained in Ordinance Numbered 20 of the City of Westwood Hills, Kansas, and reads as follows:

ORDINANCE NO. 20

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placed and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

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sideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of June and the 31st day of December of each year in which this franchise is effective, issue a credit amounting to five (5%) percent of its gross receipts from the sale of electric energy used within the present or future boundaries of the city, of Westwood Hills, for domestic, commercial, and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceding May 31 and November 30, respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this Section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial such as the electrical energy used by public utilities, telephone, telegraph, and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usages have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

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SECTION XI. That this ordinance is made under and in conformity with the laws of the State of Kansas and shall take effect and be in force as therein provided.

Passed and approved this..... day of.....

Mayor  
Attest:  
City Clerk

This notice is given in accordance with the provisions of Section 12-8 of the Revised Statutes of Kansas of 1935.

C. CHAUNCEY COX  
Mayor

ORA M. AMBERG  
City Clerk  
(SEAL)

44-45-46-4

Printer's Fee \$ 133.94

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

Bill Neff

of Lawful age, being first duly sworn, deposeth and saith that he is the editor of Johnson County Herald, a weekly newspaper, regularly printed and published in Overland Park, County of Johnson, State of Kansas, and of general circulation in said County, and which said newspaper has been so continuously and uninterruptedly printed and published and admitted to the mails as second class matter in said County during the period of fifty-two consecutive weeks, immediately prior to the first publication of the notice hereinafter mentioned, and that a notice, of which a true copy is hereto attached, was printed and published in the regular and entire issue of each

number of said newspaper for..... 4 consecutive weeks, viz:

March 9, 1950

March 16, 1950

March 23, 1950

March 30, 1950

April 6, 1950

the first publication being made as aforesaid on the

9 day of March, 1950

Bill Neff

Subscribed in my presence and sworn to before me

this 31 day of March, 1950

Mildred T. Allen

Notary Public in and for Johnson Co., Kansas

My commission expires August 12, 1950.

IN THE COURT OF JOHNSON COUNTY, KANSAS

State of Kansas, Johnson County, ss:

The within Proof of Publication approved.

Judge



ORDINANCE NO. 20

AN ORDINANCE GRANTING THE KANSAS CITY POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR THE FULL TERM OF TWENTY YEARS, THE RIGHT, AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT AND MAINTAIN IN THE CITY OF WESTWOOD HILLS, KANSAS, ALL WORKS AND PLANTS NECESSARY AND REQUISITE TO CARRY ON A GENERAL POWER AND LIGHT BUSINESS FOR THE PURPOSE OF SUPPLYING THE COMMUNITY AND NEIGHBORHOOD IN THE VICINITY THEREOF WITH ELECTRIC OR OTHER ENERGY, AND GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS, AVENUES, LANES AND OTHER PUBLIC PLACES THEREFOR.

WHEREAS, the Kansas City Power & Light Company is a corporation duly created, organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy, and

WHEREAS, Kansas City Power & Light Company is now, and has been for many years, the owner and operating, a system for the transmission of electric current between the City of Westwood Hills and many other incorporated cities within the State of Kansas, which system passes into and through the City of Westwood Hills, Kansas, and has been, over such system, furnishing electric current to the inhabitants of the City of Westwood Hills, Kansas, and both parties hereby desire that Kansas City Power & Light Company shall continue to furnish electric energy to the City of Westwood Hills, and its inhabitants.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

SECTION I. In order to promote the welfare, comfort and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city, and the inhabitants thereof from the construction and operation of an electric light and power works and plant, and in further consideration of the supplying of electrical energy hereby secured to the public, there is hereby granted to Kansas City Power & Light Company, a corporation, duly created, organized and existing under and by virtue of the laws of the State of Missouri, and doing business under the laws of the State of Kansas as a foreign corporation, and unto its successors and assigns for the full term of twenty years from the date hereof, the right, authority, power and franchise to establish, construct, operate and maintain in the City of Westwood Hills, all works and plants necessary and requisite to carry on a general power and light business, and all other operations connected therewith or incident thereto for the purpose of supplying the community and neighborhood in the vicinity thereof with electrical energy in such forms as may be reasonably required for domestic, manufacturing, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute the same by pole and wire lines, transmission lines, or otherwise; and for any and all of said purposes, it is authorized to construct or set poles carrying wires and cables above ground, lamp posts, poles, anchors and guys on all of the streets, alleys, avenues or other public places or thoroughfares, and to construct, erect and maintain all necessary buildings, machinery and attachments of any and every kind and description and for any and all of said purposes, may enter upon any and all of the streets, alleys, avenues and other public grounds within the corporate limits of the City of Westwood Hills as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under its jurisdiction, and to make such excavation within as may be necessary for the construction of its pole lines and transmission lines and the repair and renewal thereof during the continuance of the franchise hereby granted.

SECTION II. Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the City Council of said city under permits issued for the work, and shall be made and done in such manner as to give the least inconvenience to the inhabitants of the city and the public generally, and pavements, sidewalks, curbing and excavations shall be re-

such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

All bills to the consumers shall be rendered at intervals of approximately thirty (30) days, except the Kansas City Power & Light Company may render bills more often if deemed necessary to insure payment for its services to any particular consumer and bills thus rendered shall be payable at any office or collection agency of the Kansas City Power & Light Company on or before ten (10) days after the date of said bill.

SECTION IV. The Kansas City Power & Light Company shall at all times during the term of this franchise supply to consumers of electric energy, residing in the City of Westwood Hills, such electric energy as they may require and shall extend its lines in accordance with the rules and regulations as filed from time to time with the Kansas Corporation Commission or its successors.

SECTION V. The amount of energy consumed shall be determined by meter measurements unless the Kansas City Power & Light Company shall, at its option, contract for the sale of energy in special cases on some other basis. The City Council shall have the right to select a meter inspector and prescribe his duties, and if any meter furnished by Kansas City Power & Light Company is found, upon inspection and test, to be incorrect in its measurements, the Company shall forthwith upon notice correct the same or immediately supply an accurate meter.

Meters and all appliances and fixtures of the Company located upon the premises of a customer shall be made and remain the property of the Kansas City Power & Light Company, and the authorized representative shall at all reasonable times have access to said premises for the purpose of reading said meters and for the purpose of inspecting, repairing or renewing or altering or removing any or all of said property.

SECTION VI. All poles and wires shall be erected in accordance with the rules and regulations of the Kansas Corporation Commission as set out in docket No. 1944 and any amendments thereto.

All poles carrying said wires shall be placed in such manner as to interfere and obstruct the ordinary use of the streets, alleys, lanes and highways of said city, as little as possible, and as not to interfere with any gas, water main or sewer now or hereafter to be laid out or constructed in or under said streets, alleys, lanes and highways of said town.

SECTION VII. The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of each day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are specifically exempted from the terms of this Section.

SECTION VIII. The Kansas City Power & Light Company shall at all times protect and save harmless the City of Westwood Hills from all damages or loss to person and property for or arising out of or by reason of the construction, maintenance or operation of the plant of the Kansas City Power & Light Company.

SECTION IX. As a further con-

sideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of June and the 31st day of December of each year in which this franchise is effective, issue a credit amounting to five (5%) percent of its gross receipts from the sale of electric energy used within the present or future boundaries of the city, of Westwood Hills, for domestic, commercial, and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceding May 31 and November 30, respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this Section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial such as the electrical energy used by public utilities, telephone, telegraph, and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usages have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

SECTION X. All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns, whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

SECTION XI. That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided.

Passed and approved this..... day of.....

..... Mayor  
Attest:  
..... City Clerk

This notice is given in accordance with the provisions of Section 12-8 of the Revised Statutes of Kansas of 1935.

C. CHAUNCEY COX  
Mayor

ORA M. AMBERG  
City Clerk  
(SEAL)

44-45-46-4

Printer's Fee \$ 133.94

## AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

Bill Neff

of Lawful age, being first duly sworn, deposeth and saith that he is the editor of Johnson County Herald, a weekly newspaper, regularly printed and published in Overland Park, County of Johnson, State of Kansas, and of general circulation in said County, and which said newspaper has been so continuously and uninterruptedly printed and published and admitted to the mails as second class matter in said County during the period of fifty-two consecutive weeks, immediately prior to the first publication of the notice hereinafter mentioned, and that a notice, of which a true copy is hereto attached, was printed and published in the regular and entire issue of each

number of said newspaper for..... 4 consecutive weeks, viz:

March 9, 1950

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the first publication being made as aforesaid on the

9 day of March, 1950

Subscribed in my presence and sworn to before me this 31 day of March, 1950

Mildred F. Allen  
Notary Public in and for Johnson Co., Kansas

My commission expires August 12, 1950.

IN THE..... COURT OF  
JOHNSON COUNTY, KANSAS  
State of Kansas, Johnson County, ss:

....., 19.....  
The within Proof of Publication approved.

..... Judge



TO THE ELECTORS OF THE CITY OF WESTWOOD HILLS, KANSAS.

You are hereby notified that the Governing Body of the City of Westwood Hills, Kansas, being the mayor and councilmen thereof, proposes to grant to Kansas City Power & Light Company a franchise to operate and maintain an electric system for the supplying of electric current to the City of Westwood Hills and its inhabitants. Such proposed franchise is contained in Ordinance Numbered 20 of the City of Westwood Hills, Kansas, and reads as follows:

ORDINANCE NO. 20

AN ORDINANCE GRANTING THE KANSAS CITY POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR THE FULL TERM OF TWENTY YEARS, THE RIGHT, AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT AND MAINTAIN IN THE CITY OF WESTWOOD HILLS, KANSAS, ALL WORKS AND PLANTS NECESSARY AND REQUISITE TO CARRY ON A GENERAL POWER AND LIGHT BUSINESS FOR THE PURPOSE OF SUPPLYING THE COMMUNITY AND NEIGHBORHOOD IN THE VICINITY THEREOF WITH ELECTRIC OR OTHER ENERGY, AND GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS, AVENUES, LANES AND OTHER PUBLIC PLACES THEREFOR.

WHEREAS, the Kansas City Power & Light Company is a corporation duly created, organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy, and

WHEREAS, Kansas City Power & Light Company is now, and has been for many years, the owner and operating, a system for the transmission of electric current between the City of Westwood Hills and many other incorporated cities within the State of Kansas, which system passes into and through the City of Westwood Hills, Kansas, and has been, over such system, furnishing electric current to the inhabitants of the City of Westwood Hills, Kansas, and both parties hereto desire that Kansas City Power & Light Company shall continue to furnish electric energy to the City of Westwood Hills, and its inhabitants.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

SECTION I. In order to promote the welfare, comfort and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city, and the inhabitants thereof from the construction and operation of an electric light and power works and plant, and in further consideration of the supplying of electrical energy hereby secured to the public, there is hereby granted to Kansas City Power & Light Company, a corporation, duly created, organized and existing under and by virtue of the laws of the State of Missouri, and doing business under the laws of the State of Kansas as a foreign corporation, and unto its successors and assigns for the full term of twenty years from the date hereof, the right, authority, power and franchise to establish, construct, operate and maintain in the City of Westwood Hills, all works and plants necessary and requisite to carry on a general power and light business, and all other operations connected therewith or incident thereto for the purpose of supplying the community and neighborhood in the vicinity thereof with electrical energy in such forms as

placed and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

SECTION III. The Kansas City Power & Light Company shall have the right and power to fix, charge, collect and receive reasonable rates for services rendered. In case the rates fixed and charged by Kansas City Power & Light Company, or any of said rates, shall be deemed by such authorities as under the law can act, to be unjust and unreasonable, then such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

All bills to the consumers shall be rendered at intervals of approximately thirty (30) days, except the Kansas City Power & Light Company may render bills more often if deemed necessary to insure payment for its services to any particular consumer and bills thus rendered shall be payable at any office or collection agency of the Kansas City Power & Light Company on or before ten (10) days after the date of said bill.

SECTION IV. The Kansas City Power & Light Company shall at all times during the term of this franchise supply to consumers of electric energy, residing in the City of Westwood Hills, such electric energy as they may require and shall extend its lines in accordance with the rules and regulations as filed from time to time with the Kansas Corporation Commission or its successors.

SECTION V. The amount of energy consumed shall be determined by meter measurements unless the Kansas City Power & Light Company shall, at its option, contract for the sale of energy in special cases on some other basis. The City Council shall have the right to select a meter inspector and prescribe his duties, and if any meter furnished by Kansas City Power & Light Company is found, upon inspection and test, to be incorrect in its measurements, the Company shall forthwith upon notice correct the same or immediately supply an accurate meter.

Meters and all appliances and fixtures of the Company located upon the premises of a customer shall be made and remain the property of the Kansas City Power & Light Company, and the authorized representative shall at all reasonable times have access to said premises for the purpose of reading said meters and for the purpose of inspecting, repairing or renewing or altering or removing any or all of said property.

SECTION VI. All poles and wires shall be erected in accordance with the rules and regulations of the Kansas Corporation Commission as set out in docket No. 1944 and any amendments thereto.

All poles carrying said wires shall be placed in such manner as to interfere and obstruct the ordinary use of the streets, alleys, lanes and highways of said city, as little as possible, and as not to interfere with any gas, water main or sewer now or hereafter to be laid out or constructed in or under said streets, alleys, lanes and highways of said town.

SECTION VII. The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of each day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are specifically exempted from the terms of this Section.

SECTION VIII. The Kansas City Power & Light Company shall at all times protect and save harmless the City of Westwood Hills from all damages or loss to person and property for or arising out of or by reason of the construction, maintenance or operation of the plant of the Kansas City Power & Light Company.

SECTION IX. As a further con-

sideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of June and the 31st day of December of each year in which this franchise is effective, issue a credit amounting to five (5%) percent of its gross receipts from the sale of electric energy used within the present or future boundaries of the city, of Westwood Hills, for domestic, commercial, and industrial consumption, as hereinafter defined and not for resale, for the six (6) month period ending at the last meter reading preceding May 31 and November 30, respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this Section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial use, as the electrical energy used by public utilities, telephone, telegraph, and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions, as such sales and usages have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

SECTION X. All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns, whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

SECTION XI. That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided.

Passed and approved this..... day of.....

Mayor

Attest:

City Clerk

This notice is given in accordance with the provisions of Section 12-84 of the Revised Statutes of Kansas for 1935.

C. CHAUNCEY COX  
Mayor

ORA M. AMBERG  
City Clerk  
(SEAL)

44-45-46-47

Printer's Fee \$ 133.94

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

Bill Neff

of Lawful age, being first duly sworn, depose and saith that he is the editor of Johnson County Herald, a weekly newspaper, regularly printed and published in Overland Park, County of Johnson, State of Kansas, and of general circulation in said County, and which said newspaper has been so continuously and uninterruptedly printed and published and admitted to the mails as second class matter in said County during the period of fifty-two consecutive weeks, immediately prior to the first publication of the notice hereinafter mentioned, and that a notice, of which a true copy is hereto attached, was printed and published in the regular and entire issue of each

number of said newspaper for..... consecutive weeks, viz:

March 9, 1950

March 16, 1950

March 23, 1950

March 30, 1950

the first publication being made as aforesaid on the

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Subscribed in my presence and sworn to before me

this 31 day of March, 1950

Mildred F. Allen

Notary Public in and for  
Johnson Co., Kansas

My commission expires August 12, 1950.

IN THE..... COURT OF  
JOHNSON COUNTY, KANSAS

State of Kansas, Johnson County, ss:

The within Proof of Publication approved.

Judge



TO THE ELECTORS OF THE CITY OF WESTWOOD HILLS, KANSAS.

You are hereby notified that the Governing Body of the City of Westwood Hills, Kansas, being the mayor and councilmen thereof, proposes to grant to Kansas City Power & Light Company a franchise to operate and maintain an electric system for the supplying of electric current to the City of Westwood Hills and its inhabitants. Such proposed franchise is contained in Ordinance Numbered 20 of the City of Westwood Hills, Kansas, and reads as follows:

ORDINANCE NO. 20

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NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

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placed and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

SECTION III. The Kansas City Power & Light Company shall have the right and power to fix, charge, collect and receive reasonable rates for services rendered. In case the rates fixed and charged by Kansas City Power & Light Company, or any of said rates, shall be deemed by such authorities as under the law can act, to be unjust and unreasonable, then such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

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SECTION VII. The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of each day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are specifically exempted from the terms of this Section.

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sideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of June and the 31st day of December of each year in which this franchise is effective, issue a credit amounting to five (5%) percent of its gross receipts from the sale of electric energy used within the present or future boundaries of the city, of Westwood Hills, for domestic, commercial, and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceding May 31 and November 30, respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this Section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial such as the electrical energy used by public utilities, telephone, telegraph, and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usages have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

SECTION X. All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns, whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

SECTION XI. That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided.

Passed and approved this..... day of.....

Attest: City Clerk

This notice is given in accordance with the provisions of Section 12-824 of the Revised Statutes of Kansas for 1935.

C. CHAUNCEY COX Mayor

ORA M. AMBERG City Clerk (SEAL)

44-45-46-47

Printer's Fee \$ 133.94

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

Bill Neff

of Lawful age, being first duly sworn, depose and saith that he is the editor of Johnson County Herald, a weekly newspaper, regularly printed and published in Overland Park, County of Johnson, State of Kansas, and of general circulation in said County, and which said newspaper has been so continuously and uninterruptedly printed and published and admitted to the mails as second class matter in said County during the period of fifty-two consecutive weeks, immediately prior to the first publication of the notice hereinafter mentioned, and that a notice, of which a true copy is hereto attached, was printed and published in the regular and entire issue of each

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Judge