

* * * * *

RESOLUTION NO. 89.

Adopted April 16, 1928.

RESOLUTION DECLARING RESULT OF ELECTION.

WHEREAS, a general municipal election was held and conducted in the City of El Paso de Robles, on Monday the 9th day of April, 1928, as required by law,

AND WHEREAS, it appears that notice of said election was duly and legally given, that voting precincts were properly established, that election officers were appointed and election supplies furnished, and that in all respects said election was held and conducted and the votes cast thereat received and canvassed, and the returns thereof made and declared in time, form and manner as required by the general laws of the State governing elections in cities of the fifth and sixth class.

AND WHEREAS, the Board of Trustees of said City met at the council chamber of the board on Monday, the 16th day of April, 1928, to canvass the returns of said election and install the newly elected officers, whereupon said board found that the number of votes cast, the names of the persons voted for, and the result of said election, to be as hereinafter stated.

NOW THEREFORE, IT IS HEREBY RESOLVED as follows:

THAT said regular municipal election was held and conducted in the City of El Paso de Hobles, on Monday the 9th day of April, 1928, in time, form and manner as required by law;

THAT there was one voting precinct established for the purpose of holding said election, consisting of a consolidation of the regular election precincts established for holding general state and county elections as follows:

"Consolidated Voting Precinct 'A' comprising State and County Precincts Paso Hobles No.1, Paso Hobles No.2, Paso Hobles No. 3, Paso Hobles No.4 and Paso Hobles No. 5..

That the whole number of votes cast in said City at said election was 668 .

THAT the names of the persons voted for, the offices for which they were voted, and the whole number of votes received by each in the entire City at said election, are as follows:

<u>NAMES OF PERSONS VOTED FOR</u>	<u>OFFICE VOTED FOR</u>	<u>VOTES RECEIVED</u>
Henry Lyle	Member of Board of Trustees	320
W.B.Noyes	Member of Board of Trustees	391
D.H.Orcutt	Member of Board of Trustees	501
C.S.Smith	Member of Board of Trustees	391
A.V.Muller	Member of Board of Trustees	137
Scattering	Member of Board of Trustees	1
A.J.Beaty	Clerk	124
Ida K.Welborn	Clerk	518
R.L.Olden	Treasurer	358
A.S.Young	Treasurer	291
Scattering	Treasurer	1

RESOLVED, therefore, that at said general municipal election W.B.Noyes, D. H. Orcutt and C. S. Smith were each elected to the office of Trustee for the full term of four years; that Ida K.Welborn was elected to the office of Clerk for the full term of four years, and that R. L. Olden was elected to the office of Treasurer for the full term of four years.

The clerk shall enter on the records of the board a statement of the result of the election showing (1) the whole number of votes cast in said City; (2) the names of the persons voted for, and propositions voted upon; (3) the office which each person was voted for; (4) the number of votes given at each precinct to each of such persons, and for and against each of such propositions; and (5) the number of votes given in said City to each of said persons, and for and against each of such propositions voted upon.

Said advertisement shall further state that the successful bidder and his assigns must, during the life of said franchise pay to said City, annually two per cent of the gross annual receipts of the person, partnership or corporation to whom the franchise is awarded, arising from its use, operation or possession, beginning with the expiration of five years succeeding the date of the franchise, and that the successful bidder for said franchise must, within five days after said franchise is awarded to him or it, file with the Board of Trustees a bond running to said City in the penal sum of Five Hundred Dollars (\$500.00) with at least two good and sufficient sureties to be approved by said Board of Trustees, conditioned that said bidder will construct said gas system and shall well and truly observe, fulfill and perform each and every term and condition of said franchise, and that in case of any breach of condition of bond the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and sureties upon said bond. If said bond be not so filed the award of said franchise will be set aside and any money paid therefor shall be forfeited and said franchise shall, in the discretion of said Board of Trustees, be readvertised and again offered for sale.

Said advertisement and notice to be given by said Clerk pursuant to this order or resolution shall be in such form as is required by law and this resolution and shall be prepared by the City Attorney.