

ORDER NO. 6195

D-E3232

Upon consideration of the foregoing report, which is made a part hereof; it is

ORDERED, that in the matter of the petition of the Public Service Company of New Hampshire v. Lulu T. Sanborn, Aimee Truelson and Doris Ryan, filed January 19, 1953, praying for rights for its pole lines over land of said respondents, situate in the City of Franklin in the County of Merrimack and State of New Hampshire, this Commission having, upon due notice to all parties in interest, heard and determined the necessity for the rights prayed for, now this third day of March, 1953, orders, adjudges, and decrees, as follows:

That it is necessary in order to meet the reasonable requirements of service to the public that said Public Service Company of New Hampshire, a public utility subject to supervision under Chapter 294 of the Revised Laws, should erect, repair, maintain, rebuild, operate and patrol an electric transmission line consisting of suitable and sufficient poles and towers with suitable foundations, together with wires strung upon and extending between the same for the transmission of electric current, together with the necessary crossarms, braces, anchors, wires and guys over and across lands of said Lulu T. Sanborn, Aimee Truelson and Doris Ryan, as hereinafter more specifically set forth, and that said Public Service Company of New Hampshire, its successors and assigns, by virtue of its said petition and this decree thereon, shall be entitled to construct and maintain lines of poles or towers, or both poles and towers, in the location hereinafter specifically set forth, and to place upon said poles and towers the necessary crossarms, braces, anchors, wires and guys, also, that in constructing and maintaining said line of poles

and towers with wires, fixtures, guy wires, and supports, as hereinbefore set forth, it shall have the right to cut down or keep trimmed all trees and bushes upon certain tracts of land as hereinafter described and located; also, that it shall have the right at any time to pass and repass with men, teams, and other vehicles along and under said line of wires across tracts of land.

The rights and easements hereinabove described shall apply over the following described strip of land:

A strip of land situate in said Franklin, one hundred twenty-five (125) feet in width throughout, said one hundred twenty-five (125) foot strip to be seventy-five (75) feet westerly and fifty (50) feet easterly of a line described as follows:

Beginning at a point in the wire fence marking the easterly boundary line of land of Lulu T. Sanborn et al at land of Everett Tilton, said point of beginning being 404 feet measured easterly along said fence from the northeasterly side of the road leading to the head of Webster Lake; thence running North 45° W. a distance of 545 feet to a point in the wire fence marking the northerly boundary line of land of Lulu T. Sanborn et al at land of City of Franklin.

All rights described herein shall be exercised in a reasonably careful and prudent manner, so that no injury which can be avoided or prevented by the exercise of reasonable care shall result to the lands in respect to which the same are granted by reason of the construction, maintenance, and operation of said lines.

The Public Service Company of New Hampshire shall pay to Lulu T. Sanborn, Aimee Truelson and Doris Ryan for said right of way and easement, the sum of one hundred dollars (\$100).

A certified copy of the petition aforesaid and this decree thereon shall be recorded in the Registry of Deeds in the County of Merrimack.

The Secretary of the Commission is hereby directed to issue the above order this third day of March, 1953.

Harold K. Davison  
Edward R. Thornton  
Joe Harala  
Commissioners