

File No. 26022 Continued.

erect and maintain a line of telephone poles along the south side of Wyndhurst avenue, from Charles street avenue to Roland avenue, and along the center of Roland avenue (as said line is now located) to Cold Spring lane; and to place the County fire alarm wires on the new poles and to remove the poles then carrying the County fire alarm wires. The Telephone Company also agreed to make all changes and transfers at their sole expense and, further, to assume all the risk and liability resulting or arising from the erection and maintenance of the lines above mentioned.

I have been advised by the Chief of the Fire Department at Catonsville that these wires are now being carried in the underground system of conduits established by the Telephone Company. Under the Annexation Act of 1918, under which this part of Baltimore County is now part of Baltimore City, the City has a perfect right to maintain wires in these conduits free of cost by operation of Ordinance No. 41 of 1889 and by reason of the resolution of the County Commissioners of Baltimore County and by the agreement between the Roland Park Company, the Roland Park Electric and Water Company and the C. & P. Telephone Company. It is apparent from the ordinance, resolution and agreement above referred to that all parties concerned intended that the Telephone Company was to take care of the municipal police and fire alarm system, free of cost, either by overhead or underground construction.

Very truly yours,

(Signed) Frank Driscoll,

Assistant City Solicitor.

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