

CERTIFICATE OF CHIEF MAGISTRATE (MAYOR) OF CITY OF WILLMAR, MINNESOTA,
AS TO ADOPTION OF CERTAIN AMENDMENTS TO THE CHARTER OF THE SAID
CITY OF WILLMAR AND THE RATIFICATION OF SAID AMENDMENTS

KNOW ALL MEN BY THESE PRESENTS that I, Seymour Crossman,
as the duly elected, qualified and acting Mayor and Chief Magistrate of the
City of Willmar, Minnesota, do hereby certify and return as follows:

I.

That the hereto and attached "Proposed Amendments to the Charter
of the City of Willmar, Minnesota" dated the 30th day of September, 1958,
(which proposed Amendments are hereby made a part of this Certificate in full,
as though specifically set forth in full at this point), and which Amendments
are known and designated as "Amendment No. 1" through "Amendment No. 8",
inclusive, were submitted to the City Council of the City of Willmar by the
duly qualified and acting Board of Freeholders of said City on the said 30th
day of September, 1958; that thereafter said proposed Amendments were duly
published once each week for four successive weeks in the legal newspaper
of the City of Willmar, together with a certain "Notice of Special Election";
the said Amendments were submitted to the electorate of said City at a Special
City Election, held for the purpose of considering said Amendments, on the
4th day of November, 1958, which election was called and set by due Resolution
of the City Council of said City; that at said Election each and all of said
proposed Amendments to the Charter of the City of Willmar, Minnesota, were
accepted, ratified and adopted by more than three-fifths (3/5ths) of the qualified
voters voting at said Election and that all and each of the eight proposed Amend-
ments are now a part of the Home Rule Charter of said City of Willmar, Minnesota
to take effect as of the 5th day of December, 1958, as provided by law.

II.


I hereby further certify and return that all things necessary to be
done under the constitution and laws of the State of Minnesota in order to properly

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submit said Amendments to the Voters of said City at the said Election were
duly and properly accomplished and done.

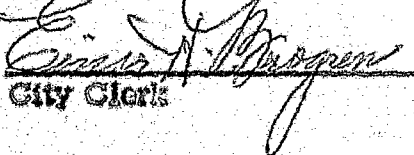
III.

That the seal affixed to this certificate is the duly adopted
Corporate Seal of the City of Willmar, a Municipal Corporation of the State
of Minnesota.


Mayer (Chief Magistrate) of the City
of Willmar, Kandiyohi County, Minnesota

Dated at Willmar, Minnesota, this 19th day of November, 1958.

ATTEST:


City Clerk

(Seal)

PROPOSED AMENDMENTS TO THE CHARTER OF
THE CITY OF WILLMAR, MINNESOTA

TO: The Honorable Seymour Grossman, Mayor of the City of Willmar in the County of Kandiyohi, State of Minnesota, and the Members of the City Council of said City:

The undersigned, heretofore appointed by the Judges of the District Court in and for the Sixth Judicial District, as a Board of Freeholders (Charter Commission) in and for said City of Willmar, Kandiyohi County, Minnesota, do hereby report and deliver the hereto attached proposed Amendments to the Charter for said City of Willmar, and recommend that said proposed Amendments be submitted to the Voters of said City for adoption, according to law.

Dated this 30th day of September, 1958.

A. C. Carlson
A. C. Carlson, Chairman

Harold E. Miller
Harold E. Miller, Vice Chairman

Vigerta Rasmussen
Vigerta Rasmussen, Secretary

Mrs. C. E. Anderson
Mrs. C. E. Anderson

William Ferguson
William Ferguson

Seymour Grossman
Seymour Grossman

Clifford Huber
Clifford Huber

Mrs. B. L. Maertz
Mrs. B. L. Maertz

Paul Mjos
Paul Mjos

Russell Nelson
Russell Nelson

Clarence Nettland
Clarence Nettland

D. L. Noyes
D. L. Noyes

John Peterson
John Peterson

R. K. Proeschel
R. K. Proeschel

Erwin W. Rau
Erwin W. Rau

Being all of the members of the Board of Freeholders for the City of Willmar, Kandiyohi County, Minnesota.

#13921
O.D.

STATE OF MINNESOTA
DEPARTMENT OF STATE
RECEIVED
NOV 21 1958
Joseph L. Ahrens
Secretary of State

Tom E. Davis,
Attorney for Board of Freeholders
Bonde Building
Willmar, Minnesota

PROPOSED AMENDMENTS TO CERTAIN SECTIONS AND
PARTS OF THE CHARTER OF THE CITY OF WILLMAR,
MINNESOTA

The Charter of the City of Willmar, Minnesota, adopted November 19,
1901 and amended March 5, 1912, April 7, 1914, April 5, 1921, June 21, 1926,
March 22, 1928, April 5, 1932, June 20, 1932, January 20, 1942 and April 20,
1954, is hereby amended, as to certain sections and parts as hereinafter set forth,
as follows:

AMENDMENT NUMBER ONE

Subdivision 1 of Section 2.02 of said Charter which now reads as
follows:

"Subdivision 1. RICE MEMORIAL HOSPITAL BOARD, which board
shall consist of five (5) members, all of whom shall be residents and freeholders
of and in the City of Willmar, who shall hold office for such terms and under such
conditions as the City Council shall establish by Ordinance; no regularly and
duly licensed medical doctor, chiropractor, osteopathic physician or other
persons who must be licensed by the State of Minnesota under its basic science
act to practice the healing arts shall be appointed as a member of this board at
any time. The chairman of the finance committee of the City Council and the
Mayor of the City shall be ex-officio members of the Hospital Board, and shall
take part in all discussions, but shall have no vote,"

shall be amended so that the same shall hereafter read as follows,
the same to be known as Section 2.021 of said Charter:

"Section 2.021. RICE MEMORIAL HOSPITAL BOARD. The control,
management and operation of the City owned and operated Hospital known as
"Rice Memorial Hospital", and the control of its functions, properties, personnel,
duties, and responsibilities is hereby vested and committed to a Board to be
hereafter known as "Rice Memorial Hospital Board". The said Board shall serve
without compensation and shall consist of five (5) voting members to be appointed

by the affirmative vote of six (6) members of the City Council, and all of said appointees shall have been residents and freeholders of the City of Willmar for at least five (5) years immediately prior to the time of their respective appointments. The term of office of each member shall be for a period of five (5) years, and the Board shall be appointed by the Council in such manner that annually one (1) member shall be appointed by the Council at the time and in the manner that other City officers are appointed, their terms fixed accordingly to provide a five (5) year tenure, and said Board members, before entering upon the duties of their office, shall qualify by filing consents to act as members of said Board in the office of the City Clerk.

"a) It is the intent to create a continuity in office. In the original appointment, each member to be appointed by the terms of this Section shall be appointed originally for a term of from one (1) to five (5) years, so that annually thereafter, one (1) member shall be appointed by the Council for a new term of five (5) years.

"b) The ~~original~~ Chief of the Medical Staff of said Hospital shall be an ex-officio member of said Board, without vote.

"c) No regularly and duly licensed medical doctor, chiropractor, osteopathic physician or other person who must be licensed by the State of Minnesota under its basic science act to practice the healing arts shall be appointed as a member of said Board at any time.

"Subdivision 1. ORGANIZATION. Said Board shall organize by electing one of its number President, one of its number Vice President, and one Secretary. The Secretary may be chosen from without the Board membership and he shall act as Clerk of the Board. Said Board shall have authority to retain and hire other personnel necessary to the complete and efficient operation of the Hospital. Said Board shall prescribe the duties of such employees and shall fix their compensation. The Secretary shall give bond to the Board and the City of Willmar in such sum as may be deemed appropriate by the Board.

"Subdivision 2. POWERS. The said Hospital Board as constituted herein shall have the full control, operation and management of the Hospital, its properties, personnel, appurtenances, duties and responsibilities. It shall and may appoint a Superintendent of the Hospital who shall be charged with the active control, management and operation, under the jurisdiction and supervision of the Board, of all functions and all physical properties of the Hospital. A majority of said Board of five (5) shall constitute a quorum and all contracts, engagements, acts and doings of said Board within the scope and duty of its authority shall be obligatory upon and in law binding as if done by the common Council of said City.

Said Board may sue and be sued, plead and be impleaded, answer and be answered unto, appear and prosecute any claim unto final judgment in any Court or elsewhere in the name of said Board, have a common seal and alter the same at pleasure. It may employ all proper personnel necessary or convenient for accomplishing the purposes contemplated by this Section; it may prosecute any action in the name of said Board for the breach of any contract, expressed or implied, or of any promise or contract made to or for it, and also for any injury, trespass or nuisance done, caused or procured to be done to any of the appurtenances belonging to or connected with or any part of the municipally owned Hospital.

The Treasurer or Clerk-Treasurer of the City of Willmar is hereby declared ex-officio the Treasurer of said Board. It shall be the duty of the Secretary under the authority of said Board to collect, receive and pay into the City Treasury all monies due on account of the operation of said Hospital, except the proceeds from the sale of bonds or revenue warrants, and to keep a set of books which shall contain a full and complete statement of the condition and operation of said Hospital, of all monies received and paid out by order of said Board, and all debts due and owing said Hospital for any cause whatsoever, together with an accurate account of all the expenses of said Hospital. The said Secretary may

appoint an assistant for whose acts he shall be responsible, who shall be authorized to act in the absence or disability of said Secretary. It is the duty of the Treasurer or Clerk-Treasurer to receive all monies which may be paid into the City Treasury on account of said Hospital from any source whatever and all money so received shall be retained by said Treasurer and credited to the account of the Hospital and paid out only upon the orders of said Board, signed by its President and Secretary, except such money as may be received from the sale of bonds, which shall be credited to that account of the City as determined by the City Council and which shall be paid out upon the order of the Mayor and City Clerk; the Secretary of the Board shall keep a detailed and exact accounting in such manner as to show at all times the exact financial condition of said Hospital and its various departments. The books of said Hospital shall be open to the examination of any person or persons appointed by the Council for that purpose or to any member or committee of the City Council or other persons interested in the affairs of the City.

"Subdivision 3. CONTRACTS. All contracts for supplies, materials and other commodities which shall involve the expenditure of the sum of One Thousand (\$1,000.00) Dollars or more shall be the subject of public bidding, and shall be in writing and in duplicate, one of which shall be filed with the City Clerk and the other with the Secretary of the Hospital Board; provided, that in the event of any extraordinary and sudden injury or emergency whereby great damage might result or ensue by reason of any delay, the Board may cause the damage to be repaired without a contract and in such manner as the Board may deem for the best interests of the City. The Board is hereby vested with full power and authority to enter into any contract, understanding or agreement necessary to carry out the purposes of this Section, the same as the City Council may do and with the same force and effect and pursuant to the law of the State of Minnesota thereto and subject to over-riding control of the Council as hereinafter set forth. All contracts

to be entered into by the Board shall be entered into in its own name and by its own authority; it shall have full and complete power to advertise for bids, accept bids, enter into contracts, and do all other things necessary to effectuate the purposes of this Section of the Charter of the City; said Board is hereby given all necessary power and authority hereunder to own, construct, maintain, operate and acquire all properties and property rights necessary to efficiently operate, maintain, extend, alter or modify, in any manner, any of the Hospital properties.

"Subdivision 4. BY-LAWS - RULES. Said Board is hereby vested with full power to make and enforce such by-laws, rules and regulations as may be necessary to carry into effect the object and intent of this Section of the Charter of the City and to cause all such by-laws, rules and regulations to be entered in a book kept for that purpose and signed by the President and Secretary which, when so entered and signed, shall be open at all times for inspection and shall be evidence in any Court of justice.

"Subdivision 5. REMOVAL FROM THE BOARD. Any member of the Board may be removed from office by the City Council if it shall appear either upon motion of the Council or upon a petition of ten (10) or more freeholders of the City that any member of said Board has been guilty of misfeasance, non-feasance, or malfeasance in office; provided, that upon filing of any such charges against any member of the Board, the City Clerk shall immediately notify such member of that fact and mail to him a written copy of such charges; at the same time, said member shall also be notified of the time and place when the Council will meet to consider such charges, which notice shall be given at least ten (10) days before said meeting and at such meeting said member shall have the right to be present and produce evidence and to be heard in his own behalf. Any action taken by the Council pursuant to the procedures set forth in this paragraph shall be deemed to be final.

"Subdivision 6. OVER-RIDING POWER OF COUNCIL. The City Council of the City of Willmar is hereby vested with the power to over-ride, alter

or change any decision, act or deed of the Rice Memorial Hospital Board, and to order the Board to do certain things, or to desist from doing certain things, as dictated by the City Council, which shall be by a three-fourths (3/4ths) vote of the members of the City Council; provided, however, that the failure of the said Council to alter, change, modify or make any order upon any act or deed of the Board within a period of thirty (30) days next following the date of filing written notice of such act or deed by the said Hospital Board, with the City Clerk, shall be deemed to be an approval thereof by the Council, with the same force and effect as though approved by it, and the same shall thereafter be deemed to be the act and deed of the City of Willmar.

a) It shall be the duty of the Hospital Board to file copies of minutes of all of its meetings with the City Clerk in writing, which minutes shall encompass a resume of all acts taken by the Board; the date of filing of said copy of said minutes, or other notice of action taken by the Board in writing, with the City Clerk, shall be deemed to start the running of the thirty (30) day period hereinabove set forth.

"Subdivision 7. PARTICIPATION BY OTHER AGENCIES. In the event any other agency of Government, or other agency shall determine to participate in the control, operation and management of Rice Memorial Hospital hereafter, in an economic and financial way, and the City of Willmar, through its City Council, agrees to such participation by such agency or agencies, and such Governmental agency or other agency determines that it is necessary that it or they be represented upon the Board of Rice Memorial Hospital, then and in that event there is reserved to the City Council of the City of Willmar the power, by Ordinance, to change, alter, modify, terminate or suspend the provisions of Section 2.021 of the City Charter of the City of Willmar, and to change the manner, mode, and type of operation of said Hospital so as to permit the participation therein of the said other agencies or Governmental agency, and otherwise, by such Ordinance, to do such things as may be necessary effectually to permit

joint operation, control, management and ownership of said Hospital and its properties by and between the City of Willmar and any other authorized participating agency."

AMENDMENT NUMBER TWO

Section 2.03 of said Charter which now reads as follows:

"Section 2.03. ELECTIVE OFFICERS. The elective officers of the City of Willmar, shall be a Mayor, a Treasurer, two members of the Council from each of four (4) wards of the City, who shall be known as councilmen, one Justice of the Peace from each ward and two (2) constables from the City at large. All of said elective officers shall be qualified electors and residents in and of the City of Willmar and they shall be elected as hereinafter provided. The Mayor shall serve for a term of two (2) years and until his successor is elected and qualified. The eight councilmen shall each serve for a term of four (4) years and until their respective successors are duly elected and qualified.

There shall also be elected a Municipal Judge as presently provided by law, who shall hold office for a term of four (4) years and until his successor is elected and qualified.

The terms of all elective officers shall begin on the first (1st) Monday after the first (1st) Tuesday in January following a regular municipal election. The Council shall be the judge of the election of the Mayor and the Councilmen, and of all elective officers of the City. The term of office of the present Municipal Judge shall be governed by the provisions of this paragraph of the chartered and shall expire as set forth in Section 13.16 hereof."

shall be amended so that the same shall hereafter read as follows:

"Section 2.03 ELECTIVE OFFICERS. The elective officers of the City of Willmar, shall be a Mayor, a Treasurer (except as otherwise ordained by the Council under the terms of this Charter), two members of the Council from each

of four wards of the City, who shall be known as Councilmen. All of said elective officers shall be qualified electors and residents in and of the City of Willmar and they shall be elected as hereinafter provided. The Mayor shall serve for a term of two years and until his successor is elected and qualified. The eight Councilmen shall each serve for a term of four years and until their respective successors are duly elected and qualified.

There shall also be elected a Municipal Judge as presently provided by the law of the State of Minnesota relative to the Municipal Court in the City of Willmar, which law shall govern the term of office, and other matters relating to said office.

The terms of all elective officers (except the Municipal Judge, which is otherwise controlled by the law of the State of Minnesota) shall begin on the first Monday after the first Tuesday in January following a regular Municipal election. The Council shall be the judge of the election of the Mayor and the Councilmen, and of all elective officers of the City."

AMENDMENT NUMBER THREE

Subdivision c of Section 3.04 of said Charter which now reads as follows:

"c. Every ordinance or resolution providing for any specific improvement or involving the appropriation or disposition of public property or the expenditure of public money, or levying any tax or assessment, or creating any liability, or awarding or approving any contract for the payment of money, or ordering the condemnation of private property or the making of any local improvement, shall require a two-thirds vote of all the members of the council; provided, however, that the payroll of certain city officers and employes hereinafter specified shall only require a majority vote of the members of the council present."

shall be amended so that the same shall hereafter read as follows:

"c. Every Ordinance or Resolution providing for any specific improvement or involving the appropriation or disposition of public property or the expenditure of public money, or levying any tax or assessment, or creating any liability, or awarding or approving any contract for the payment of money, or ordering the condemnation of private property or the making of any local improvement shall require a majority affirmative vote of all the members of the Council."

AMENDMENT NUMBER FOUR

Section 4.02 of said Charter which now reads as follows:

"Section 4.02. PRIMARY ELECTION. On the third Tuesday preceding any general or special election held for the purpose of electing city officials an election of nominees, hereafter designated as the "primary election", shall be held in each election district for the selection of candidates for all elective offices within the City of Willmar, to be filled at such ensuing election. The City Clerk shall give at least ten days posted and published notice of the time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated.

At said primary election, there shall be nominated by the qualified electors of the City, two (2) candidates for every office to be filled within the city at the next ensuing general or special election; candidates shall be filed as follows:

At least fifteen days before the said primary election, any person, eligible and desirous of having his name placed upon the primary ballot as a candidate for any office to be voted for at said primary election shall file, or cause to be filed, with the City Clerk of said city a petition, signed by at least fifteen (15) qualified voters of said city, which petition shall state the name and residence of such person, the office for which he desires to be a candidate and that he is a

qualified voter in said city.

No elector shall sign petitions for more candidates than the number of places to be filled at the general election, and should he do so, his signature shall be void as to the petition or petitions last filed. All petitions shall be in the hands of the City Clerk at least fifteen days before the election. The Clerk shall prepare the ballots in a manner to be provided by ordinance,"

shall be amended so that the same shall hereafter read as follows:

"Section 4.02 PRIMARY ELECTION. On the third Tuesday preceding any General or Special Election held for the purpose of electing City officials an election of nominees, hereafter designated as the "Primary Election", shall be held in each election district for the selection of candidates for all elective offices within the City of Willmar to be filled at such ensuing election. The City Clerk shall give at least ten days posted and published notice of the time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated.

At said Primary Election, there shall be nominated by the qualified electors of the City, two candidates for every office to be filled within the City at the next ensuing General or Special Election; candidates shall be filled in either of the following two ways:

"1) At least fifteen days before the said Primary Election, any person, eligible and desirous of having his name placed upon the primary ballot as a candidate for any office to be voted for at said Primary Election shall file, or cause to be filed, with the City Clerk of said City a petition, signed by at least fifteen qualified voters of said City, which petition shall state the name and residence of such person, the office for which he desires to be a candidate and that he is a qualified voter in said City.

No elector shall sign petitions for more candidates than the number of places to be filled at the General Election, and should he do so, his

signature shall be void as to the petition or petitions last filed. All petitions shall be in the hands of the City Clerk at least fifteen days before the election. The Clerk shall prepare the ballots in a manner to be provided by Ordinance.

"2. Any person otherwise eligible and desirous of having his name placed upon the primary ballot as a candidate for any of the elective offices of the City, may file his Affidavit of Candidacy with the City Clerk, stating his residence, that he is a qualified voter in the subdivision where he seeks a nomination, and the office for which he desires to be a candidate; that he has not filed as a candidate for any other office at the same primary election; that no petition of the electors has been filed placing his name upon the election ballot as a candidate. Upon complying with the provisions of this Section, or the preceding Section, the names of said persons shall be placed upon the ballot by the City Clerk, as candidates for the office for which election is sought.

"a) The name of any candidate for office as herein set forth may be filed and placed upon the ballot at any time not more than forty (40) days nor less than fifteen (15) days before said primary election."

AMENDMENT NUMBER FIVE

Section 7.16 of said Charter which now reads as follows:

"Section 7.16. BONDED DEBT AND DEBT LIMIT. No bond shall ever be issued to pay current expenses but the city council may by ordinance adopted by a three-fourths (3/4) vote of the council and ratified by a majority of the electors of the city voting thereon at a special election or at a general election, whichever the council shall authorize, issue bonds for any purpose to the full extent authorized by Minnesota Statutes, Section 410.08, or for any other purpose for which bonds may be issued under the laws of the State of Minnesota. The total net indebtedness of the city shall never exceed ten (10) per cent of the last full and true valuation of the taxable real and personal property excluding moneys and credits as defined in

Minnesota Statutes, Chapter 475. In computing such debt, obligations authorized to be deducted therefrom under Minnesota Statutes, Section 410.08 or any other statute, shall not be included in or counted as a part of such indebtedness,"

shall be amended so that the same shall hereafter read as follows:

"Section 7.16. BONDED DEBT AND DEBT LIMIT. No bond shall ever be issued to pay current expenses but the City Council may by Ordinance adopted by a majority vote of the Council and ratified by a majority of the electors of the City voting thereon at a special election or at a general election, whichever the Council shall authorize, issue bonds for any purpose and to the full extent as authorized by the law of the State of Minnesota, with the same debt limitations as authorized in said law applicable."

AMENDMENT NUMBER SIX

Section 8.06 of said Charter which now reads as follows:

"Section 8.06. PLANNING COMMISSION TO CONSIDER PETITIONS.

In the case of proposal for termination, extension, construction, or other proposal relating to the supply of water, light, power, heat, and sewer service, said proposal shall first have been submitted to the Municipal Utilities Commission for its approval and recommendation to the planning commission; the failure of the Municipal Utilities Commission to approve any such proposal shall be deemed to be sufficient basis upon which the planning commission may thereupon disapprove said proposal; provided, however, that any such disapproval may be overruled by the planning commission by a two-thirds (2/3) vote of all the members, and said proposal may thereupon proceed as though the same had never been disapproved by said Municipal Utilities Commission; provided further, that the failure of said Municipal Utilities Commission to act upon any proposal submitted to it as specified herein within a period of thirty (30) days next following the date of said submission, shall be deemed to be an approval thereof,"

shall be amended by adding to this Section, the following:

"Subdivision a. In the discretion of the Council, it shall not be

necessary to submit to the Planning Commission or the Municipal Utilities Commission any proposal to do and accomplish those things as set forth and authorized in Section 429.011, et seq., M.S.A."

AMENDMENT NUMBER SEVEN

Section 12.12 of said Charter which now reads as follows:

"Section 12.12. OVER-RIDING POWER OF COUNCIL. The city council of the City of Willmar is hereby vested with the power to over-ride and change any decision, deed or act of the Municipal Utilities Commission, and to order the commission to do certain things as dictated by the City Council relative to the Municipal Utilities Department of the City, by a three-fourths (3/4) vote of the members of the City Council,"

shall be amended so that the same shall hereafter read as follows:

"Section 12.12. OVER-RIDING POWER OF COUNCIL. The City Council of the City of Willmar is hereby vested with the power to over-ride, alter or change any decision, deed or act of the Municipal Utilities Commission, and to order the Commission to do certain things as dictated by the City Council relative to the Municipal Utilities Department of the City by a three-fourths vote of the Members of the City Council; provided, however, that the failure of the said City Council to alter, change, modify or make any order upon any act or deed of the Municipal Utilities Commission within a period of thirty (30) days next following the date of filing written notice of such act or deed by the said Municipal Utilities Commission, with the City Clerk, shall be deemed to be an approval thereof by the Council, with the same force and effect as though approved by it, and the same shall thereafter be deemed to be the act and deed of the City of Willmar.

"a) It shall be the duty of the Municipal Utilities Commission to file copies of minutes of all of its meetings with the City Clerk in writing, which

minutes shall encompass a resume of all acts taken by the Commission; the date of filing of said copy of said minutes, or other notice of action taken by the Commission in writing, with the City Clerk, shall be deemed to start the running of the thirty (30) day period hereinabove set forth."

AMENDMENT NUMBER EIGHT

Section 13.07 of said Charter which now reads as follows:

"Section 13.07. DAMAGE SUITS. No action shall be maintained against the city on account of any injuries or damages to persons or property, unless such action shall be commenced within one (1) year from the occurrence of such injury or damage, nor unless notice shall have been given in writing to the city clerk within thirty (30) days of the occurrence of such injury or damage, stating the time when and the specific place where, and the circumstances under which the same occurred, and that the person injured or damaged will claim damages of the city therefor."

shall be amended so that the same shall hereafter read as follows:

"Section 13.07. DAMAGE SUITS. The City of Willmar shall be absolutely exempt from liability to any person for damages or injuries suffered or sustained by reason of defective streets or sidewalks within said City, unless actual notice in writing of such defects, in said streets or sidewalks have been filed with the City Clerk within at least twenty (20) days before the occurrence of such injury or damage to any person on account of such defects, and in all cases such notice shall describe with particularity the place and nature of the defects of which Complaint is made. As respects any action or claim founded on tort, no action shall be maintained against the City on account of any injuries or damages to persons or property unless such action shall be commenced within one (1) year from the occurrence of such injury or damage, nor unless notice shall have been given in writing to the City Clerk within thirty (30) days of the occurrence of such injury or damage, stating the time when and the specific place where, and the circumstances under which, the same occurred, and that the

person injured or damaged will claim damages from the City therefor.

Dated at Willmar, Minnesota, this 30th day of September, 1958.

13921
STATE OF MINNESOTA
DEPARTMENT OF STATE
NOV 21 1958
Joseph L. Stinson
Secretary of State