

R E S O L U T I O N, No. 572

A resolution by the City of Breckenridge, Minnesota, duly adopted by the city council thereof, affecting and declaring that said city become subject to the provisions of Chapter 303, of the Laws of the State of Minnesota, for the year 1913, entitled, "An Act to grant additional powers to cities of the state of Minnesota, having a population of twenty thousand or less inhabitants, and to empower such cities to issue their bonds for certain purposes therein mentioned."

Whereas, Chapter 303, of the Laws of the State of Minnesota, for the year 1913, entitled, "An Act to grant additional powers to cities of the State of Minnesota, having a population of twenty thousand or less inhabitants, and to empower such cities to issue their bonds for certain purposes therein mentioned", in addition to other powers therein granted, to cities of the population of twenty thousand or less inhabitants, grants to such cities the right to issue permanent improvement fund bonds to defray the expense of the construction of sewers; and

Whereas, the charter provisions of the City of Breckenridge, and the amendments thereto, do not provide adequate or suitable means of financing the projects of sewer construction in said city now pending or about to be ordered constructed; and

Whereas, it is for the best interests of said city to enlarge its powers for the purpose of issuing bonds to aid in, defray the expense and finance the payment of the cost of such local improvements, and to that end the city council of the City of Breckenridge believes and determines that said city should effect and declare said city to become subject to the act aforesaid; and

Whereas, the City of Breckenridge is a city having

a population of less than twenty thousand inhabitants; and

Whereas, Section 4, of the act aforesaid, provides that "Any city in the state of Minnesota, heretofore incorporated, may become subject to the provisions of this act, and the city council of such city, or corresponding body in a commission form of government, may effect by a resolution duly passed by a majority of all the members elect of such council or body, and a copy of such resolution, duly certified, accompanied by a statement of the vote thereon, with the names of the members voting for and against said ordinance shall be forwarded to and filed in the office of the secretary of state and such city shall thenceforth be deemed subject to the provisions of this act, and shall be governed, controlled and regulated by and under the provisions of this act, and the city officers of said city shall thereupon exercise the powers conferred therein, and all courts of the state take judicial notice of the fact of such city becoming subject to the provisions of this act; and all laws in such city in conflict with this act shall thereupon be no longer applicable, but all laws or parts of laws not inconsistent with the provisions of this act, shall continue in force the same as if such city had not become subject to the provisions of this act."and

Whereas, said act is made applicable to cities operating under a home rule charter; and the city council of the City of Breckenridge is its governing body composed of six aldermen, and it is declared the specific intent of said city council not to nullify or abrogate any of the provisions of the home rule charter of said city, except only for the purpose of enlarging the power of the said city to issue its bonds to aid in, finance the cost and defray the expense of constructing needed local improvements consisting of sewers;

Therefore, be it resolved by the city council of the City of Breckenridge, Minnesota, that said city does

hereby affect and declare that it shall and does hereby  
become subject to, governed, controlled and regulated by  
and under the provisions of said act, being Chapter 303, of the  
Laws of the State of Minnesota, for the year 1915.

Adopted July 2nd - 1919

James A. Johnson  
acting Mayor.

Attest:

Robert R. Waite  
City Clerk.

(SEAL of the City of Breckenridge. Minn)

STATE OF MINNESOTA  
COUNTY OF WILKIN )-ss-  
CITY OF BRECKENRIDGE

I, Robert R. Waite, City Clerk of the City of Breckenridge, Minnesota, do hereby certify that I have compared the foregoing copy of Resolution No. 572, to which this certificate is attached, with the Original Resolution, as appears by the records and of record and on file in said City Clerk's office, in the City Hall, in said City of Breckenridge, Minnesota, and that the same is a true and correct copy of the same and the whole thereof.

I further certify that said Resolution No. 571 was duly adopted at a legal meeting of the city council of the City of Breckenridge; and that said city council consists of and is composed of six members elect; and that four members constitute a quorum, and that at the meeting when said Resolution was adopted there were present four aldermen; and that the vote upon the adoption of said Resolution was as follows:

For the adoption of said Resolution:

Alderman James N. Benson  
Alderman John A. Bushro  
Alderman Chester A. Gusselb  
Alderman Josef Redlinger  
Alderman \_\_\_\_\_  
Alderman \_\_\_\_\_

Those voting against the adoption of said Resolution were as follows:

Alderman None  
Alderman None  
Alderman \_\_\_\_\_

And I do further certify that said Resolution

was declared to be and was and is legally adopted by  
the city Council of said City of Breckenridge, Minnesota.

IN TESTIMONY WHEREOF, I have hereunto  
set my hand and seal of the City of Breckenridge, at  
Breckenridge, Minnesota, this 2 day of July, A. D. 1919.



City Clerk.