

BOARD OF COUNTY COMMISSIONERS
DODGE COUNTY, MINNESOTA

Dated: May 4, 1982

RESOLUTION

On motion of Harlan Buck, seconded by Warren Buss, the following resolution was passed and adopted by the Dodge County Board of Commissioners at a meeting held May 4, 1982, at the Dodge County Courthouse in Mantorville, Minnesota.

BE IT RESOLVED:

That the Dodge County Board of Commissioners, pursuant to M.S. 398A, hereby organizes a Regional Railroad Authority.

1. That the Authority is organized under the Regional Railroad Authority Act as a political subdivision and local government unit of Minnesota to exercise thereunder part of the sovereign power of the State.
2. That the name of the Authority shall be Dodge County Regional Railroad Authority.
3. That Dodge County is the County adopting this organizational resolution.
4. That the number of commissioners of Authority shall be five (5), and shall be the same persons as the Dodge County Board of Commissioners, and as such shall be appointed as commissioners of the Authority by the Dodge County Board of Commissioners. The names and addresses of the first Board of Commissioners of the Authority are as follows:

Robert Senjem
Route 2, Box 68
Kasson, MN 55944

Alan Knobel
Route 1, Box 50
West Concord, MN 55985

Harlan Buck
Route 2, Box 199
Hayfield, MN 55940

Robert Burdick
Route 1, Box 204
Kasson, MN 55944

Warren Buss
Route 1, Box 258
Claremont, MN 55924

4. That the registered office of the Authority is: c/o Office of County Auditor, Dodge County Courthouse, Mantorville, MN 55955.
5. That neither the State of Minnesota, Dodge County, nor any other political subdivision is liable for the obligations of the Authority. The Hayfield Northern Railroad, Inc., and the Dodge County Regional Railroad Authority shall execute a Hold Harmless Agreement which conforms to the attached Exhibit "A", which is incorporated herein by reference.
6. That the purpose of the Authority is for the preservation and improvement of local rail service for agriculture and industry when determined to be practicable and necessary for the public welfare.

The Commissioners voted as follows: Robert Senjem Yes, Harlan Buck Yes, Warren Buss Yes, Alan Knobel Yes, Robert Burdick Yes.



ATTEST

STATE OF MINNESOTA)
(SS.
COUNTY OF DODGE)

THE DODGE COUNTY BOARD OF COMMISSIONERS

BY: Robert Senjem
Robert Senjem, Chairman

BY: Richard N. Holtan
Richard N. Holtan, Auditor

I, Richard N. Holtan, duly elected, qualified and acting County Auditor of the County of Dodge, State of Minnesota, do hereby certify that I have compared the foregoing copy of a Resolution with the original minutes of the proceedings of the Board of County Commissioners, Dodge County, Minnesota, at their session held on the 4th day of May, 1982, now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Mantorville, Minnesota, this 4th day of May, 1982.

DEPARTMENT OF STATE
FILED
NOV 23 1982
James Anderson Brown
Secretary of State
34262

Richard N. Holtan
Richard N. Holtan, County Auditor

HOLD HARMLESS AGREEMENT

BETWEEN

HAYFIELD NORTHERN RAILROAD COMPANY AND DODGE COUNTY REGIONAL RAILROAD AUTHORITY

THIS AGREEMENT, entered into this 4th day of May, 1982, by and between the Hayfield Northern Railroad Company, hereinafter referred to as Hayfield, and Dodge County Regional Railroad Authority, hereinafter referred to as Authority.

WHEREAS, Dodge County has established, pursuant to the provisions of Minnesota Statutes 398A, the Dodge County Regional Railroad Authority for the purpose of the preservation and improvement of the local railroad service for agriculture, industry and passenger traffic; and

WHEREAS, the Authority has authority under M.S. 398A.04 Subd. 11, to enter into contracts with any person, firm or corporation, for the operation of the railroad; and

WHEREAS, Hayfield has deemed it to be for the areas' benefit to maintain and operate a section of railroad track, which track is more particularly described in a description and a plat attached hereto marked Exhibit A and by this reference made a part hereof, and Hayfield has acquired or is in the process of acquiring ownership and title to the said track in furtherance of the above,

NOW, THEREFORE, in consideration of the premises as stated above, and the promises of each of the parties to the other, it is hereby agreed as follows:

1. That Hayfield shall maintain and operate any rail functions that they may deem beneficial over the track described in Exhibit A.
2. That Hayfield shall employ the necessary employees on its own behalf that might be necessary in the operation of the rail activities over this section of track.
3. That Hayfield shall be responsible for the payment of all claims and expenses that may be incurred in the operation of the railroad over this section of track.

4. That Hayfield shall hold the Authority completely free and harmless of any and all claims including the expenses of operating the said rail activities, the leasing of the property and any other expenses incurred in the operation of the rail activities.

5. That Hayfield shall further defend and hold the Authority harmless from any claims whatsoever that may arise from the leasing of the said property and from the operation of any rail activities over the said property and Hayfield shall make provision for whatever liability insurance may be appropriate in amounts that are adequate to protect the interest of Hayfield and the Authority from any claims whatsoever that may arise out of the ownership, leasing of and operation of the said railroad, and shall name the Authority and Dodge County as additional insured parties.

5. That upon the termination of this agreement, any property owned by Hayfield in the operation of the said railroad shall remain the property of Hayfield and any obligations that may be incurred in the operation of said railroad shall be paid by Hayfield.

6. This agreement may be amended in writing if such amendments are agreeable to both parties.

7. This agreement shall continue until mutually terminated by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement the day and year first above written.

REC. INDEX
RECORDED
TRACT INDEX
COMPARED

56127

COUNTY RECORDER OFFICE
DODGE COUNTY, MINN.

I hereby certify that the within
INSTRUMENT

was filed in this office for record
this 20th day of October

A.D. 1982 at 4: o'clock P.M.

and was duly recorded in book
148-Misc. page 533

Caree J. Burton

County Recorder

By Caree J. Baker
Deputy

16⁰⁰ County Charge

HAYFIELD NORTHERN RAILROAD COMPANY

BY: W. M. Woodard
President

BY: Stephen L. Bevan
Secretary-Treasurer

DODGE COUNTY REGIONAL RAILROAD AUTHORITY

BY: Robert Senjem
Robert Senjem, as Commissioner

BY: Harlan Buck
Harlan Buck, as Commissioner

BY: Warren Buss
Warren Buss, as Commissioner

BY: Alan B. Knobel
Alan Knobel, as Commissioner

BY: Robert Burdick
Robert Burdick, as Commissioner

STATE OF MINNESOTA

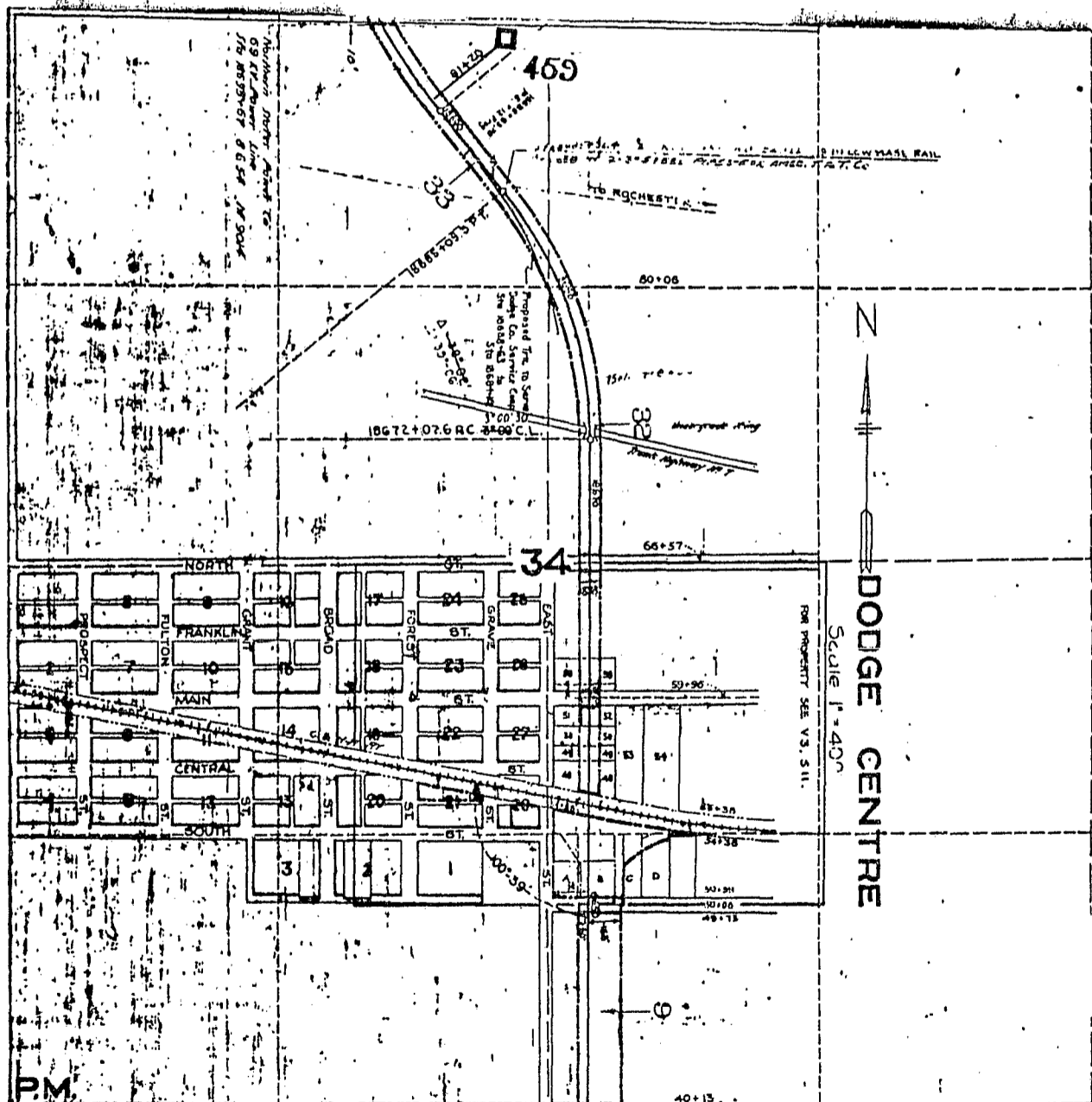
DEPARTMENT OF STATE

I hereby certify that the within
instrument was filed for record in this
office on the 22 day of Nov
A. D. 1982, at 4:30 o'clock P.M.,
and was duly recorded in Book _____
of Incorporations, on page _____

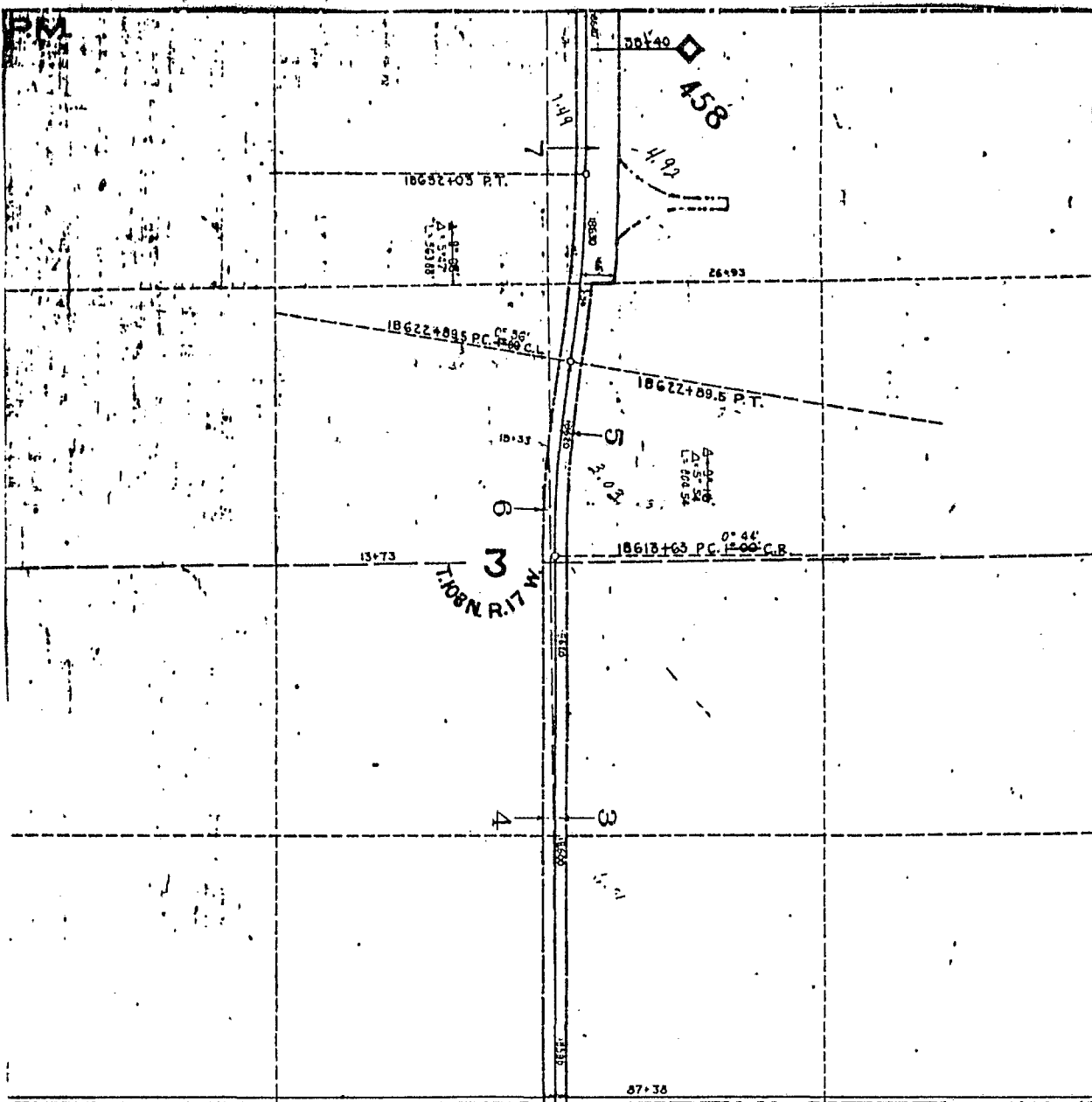
James [Signature]
Secretary of State

"EXHIBIT A"

SEC 34-T106N-R17W

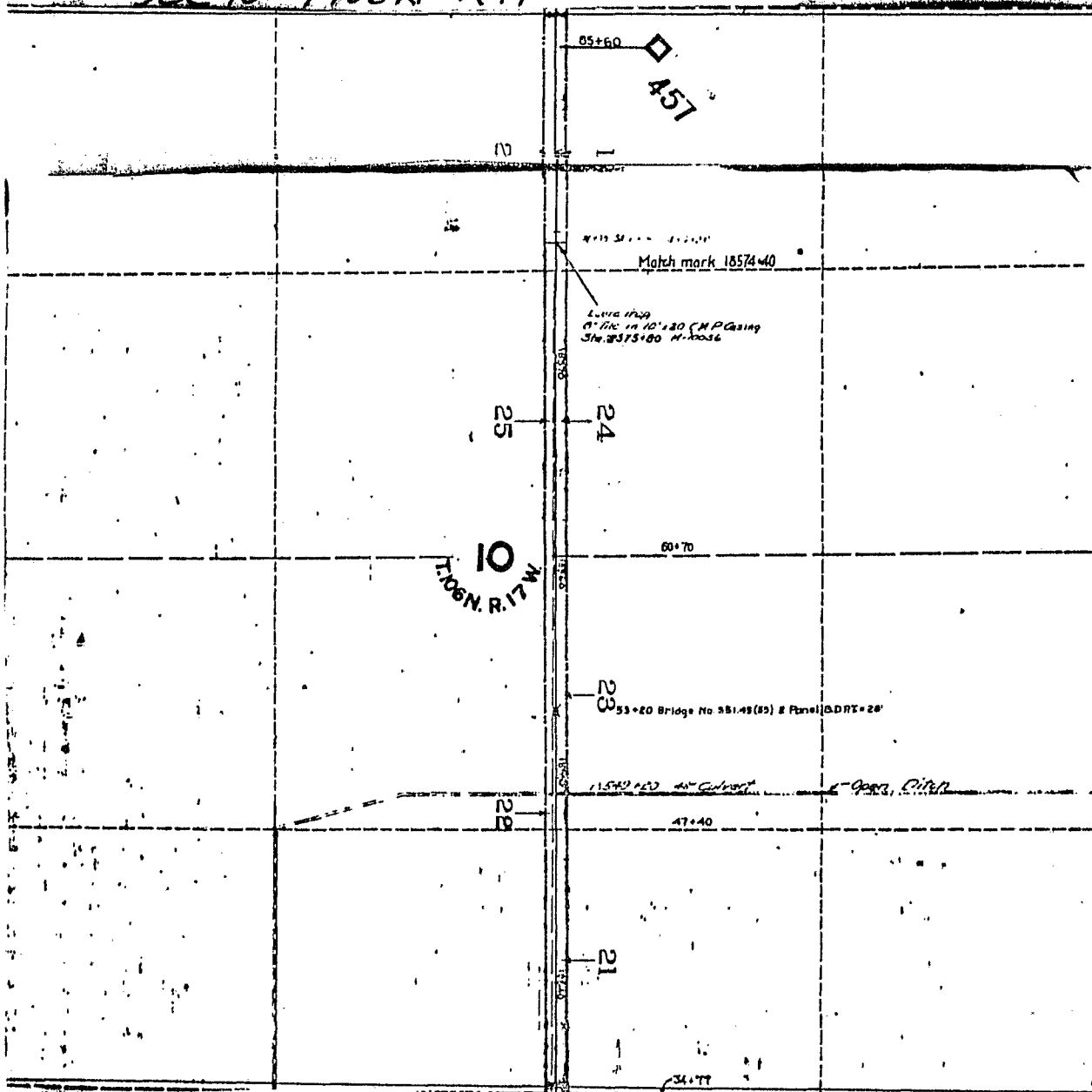


SEC 3-T 106N-R17W

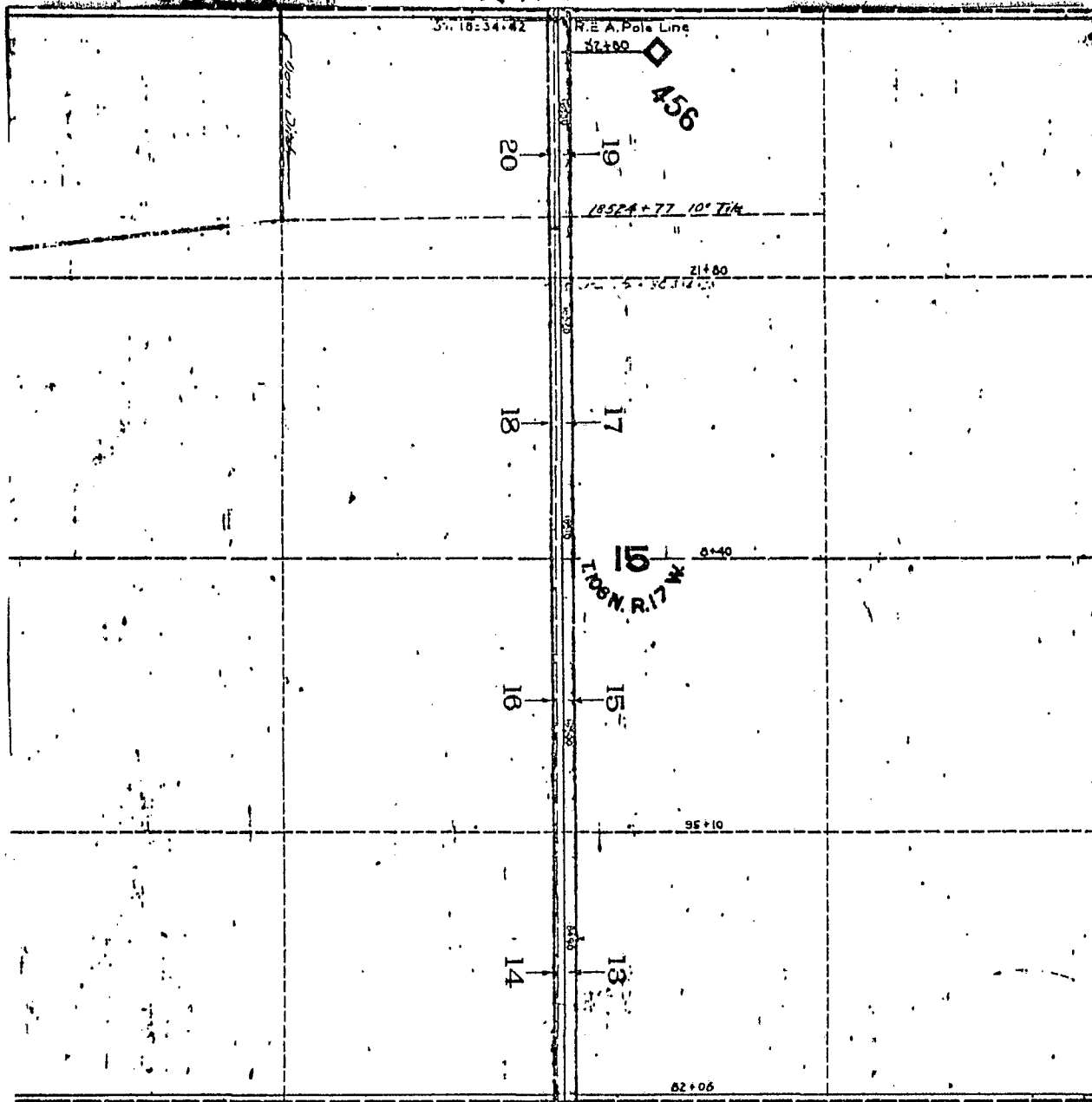


G12 NE⁴
 E² NW⁴
 W² SE⁴
 F² SW⁴

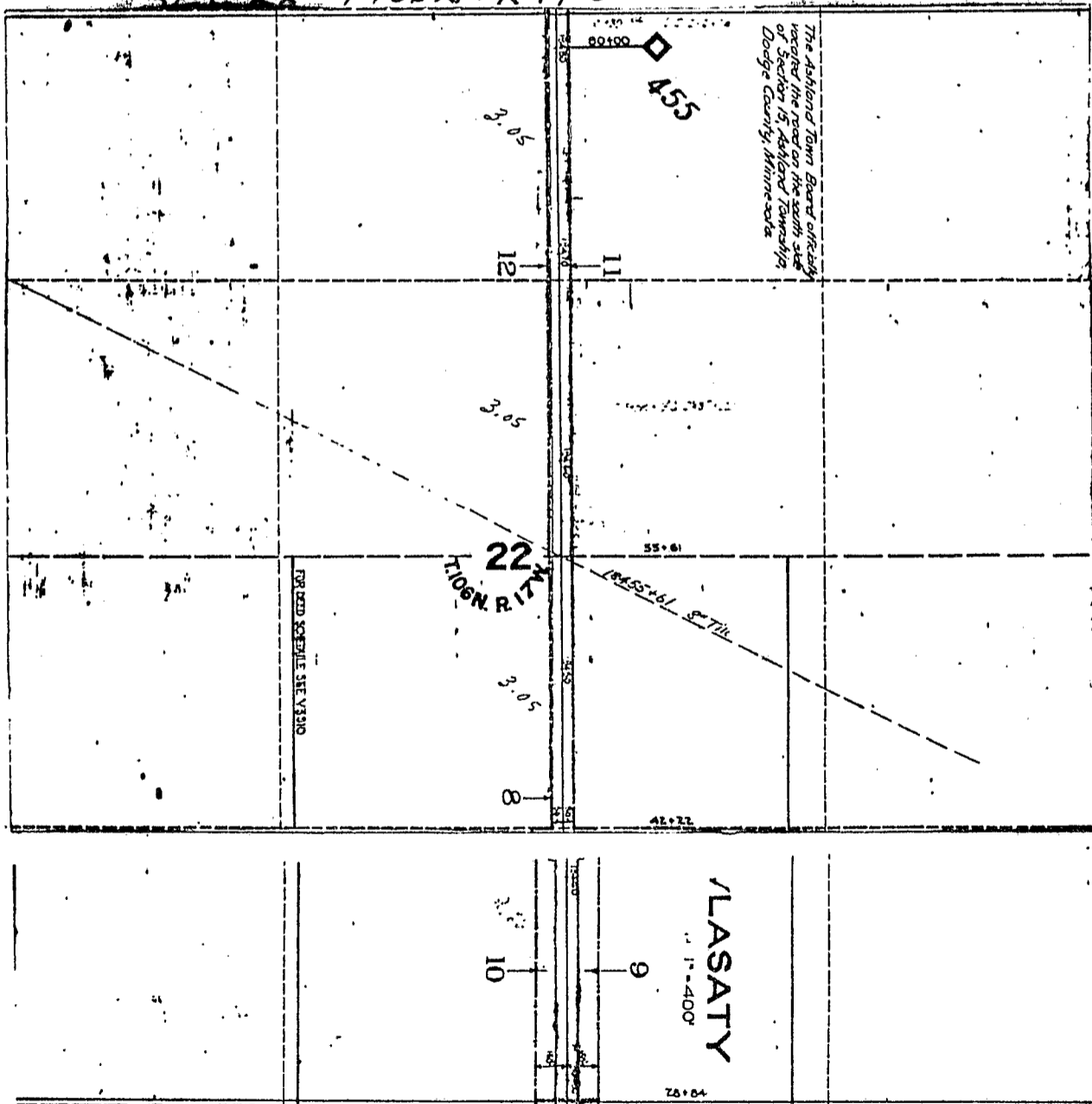
SEC 10-T106 L-R 17W



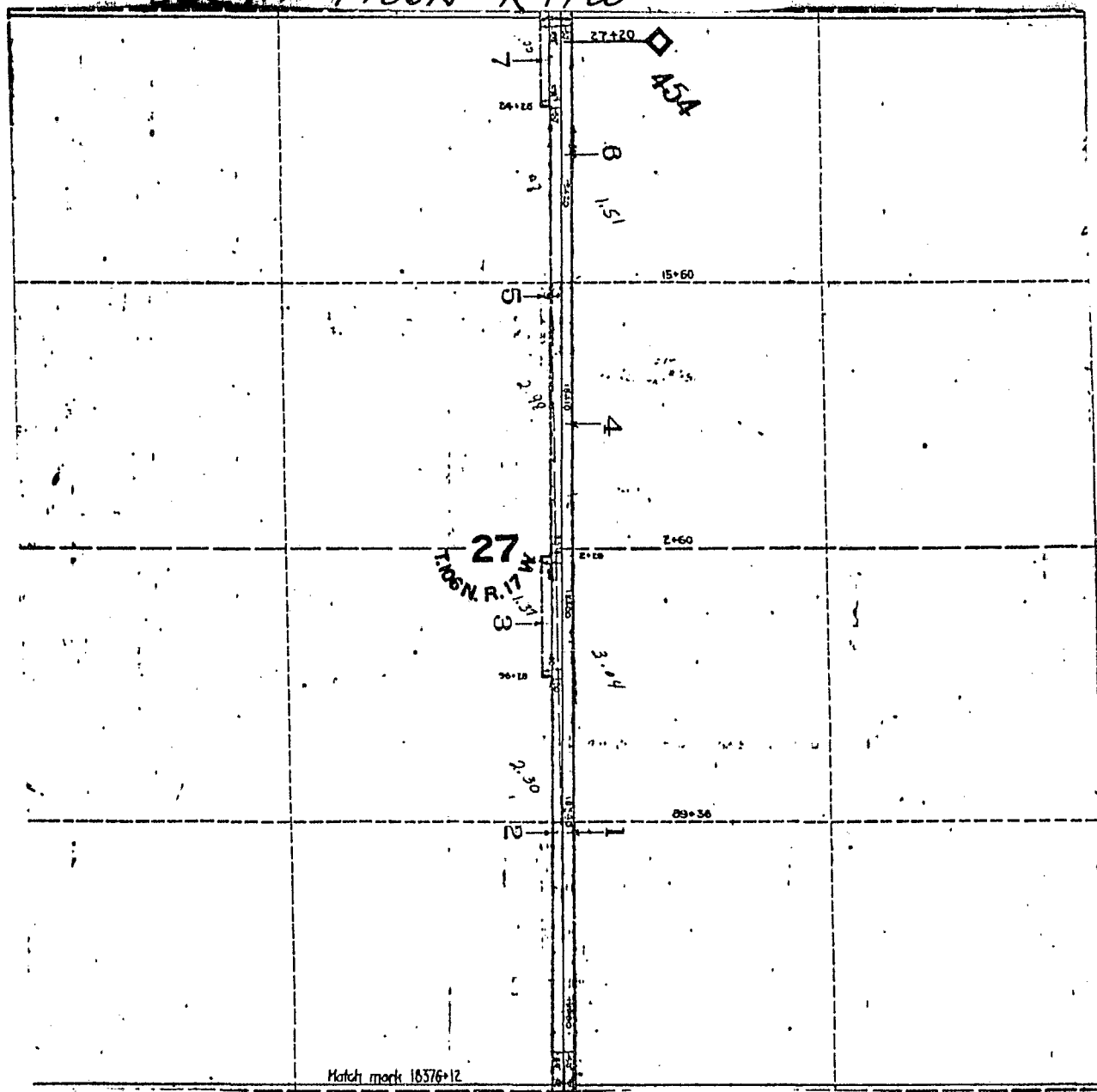
SEC 15 - T 106 N - R 17 W



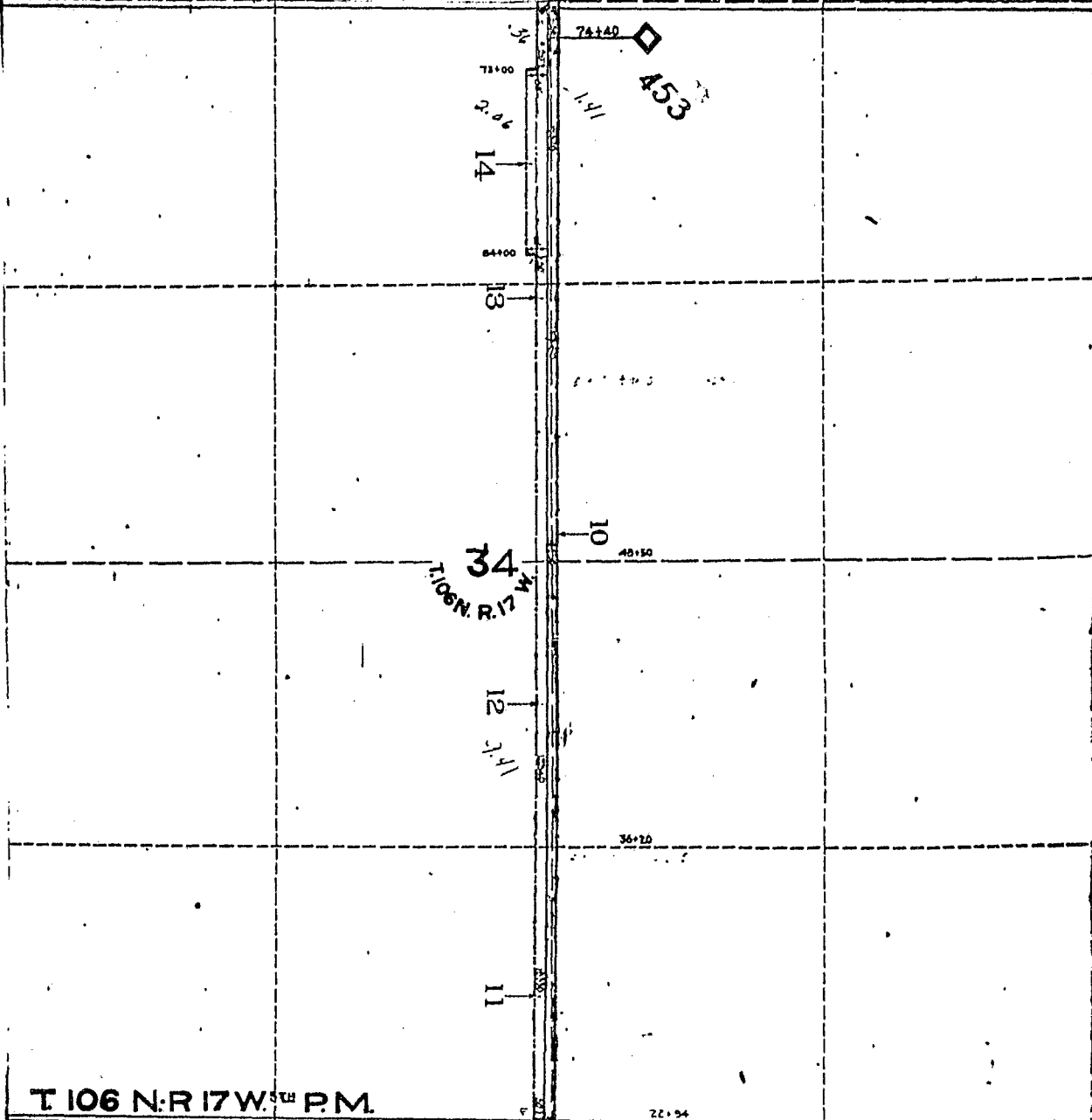
SEC 22-T106N-R17W



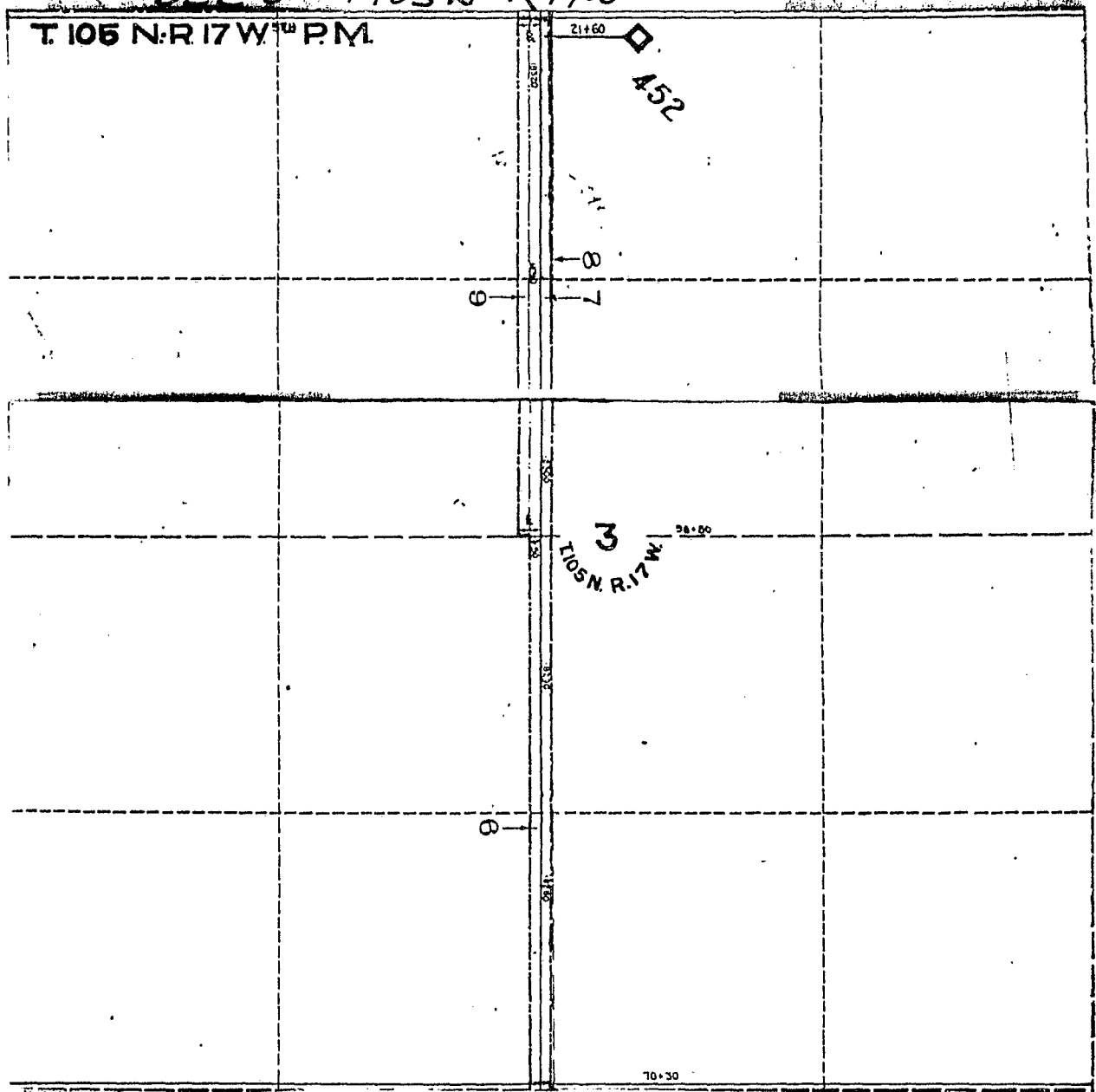
SEC 27- T106N-R17W



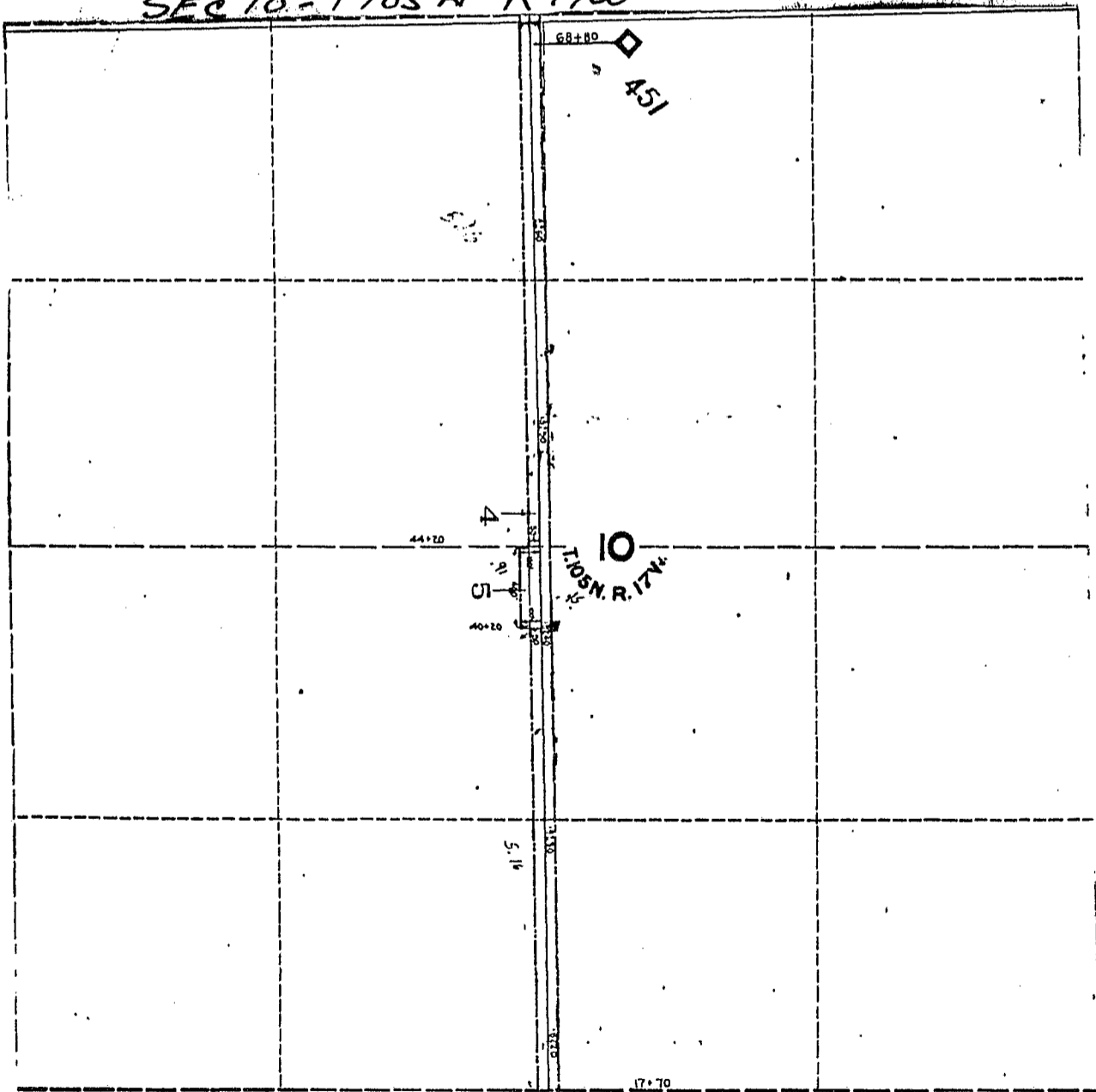
SEC 34 T106N-R17W



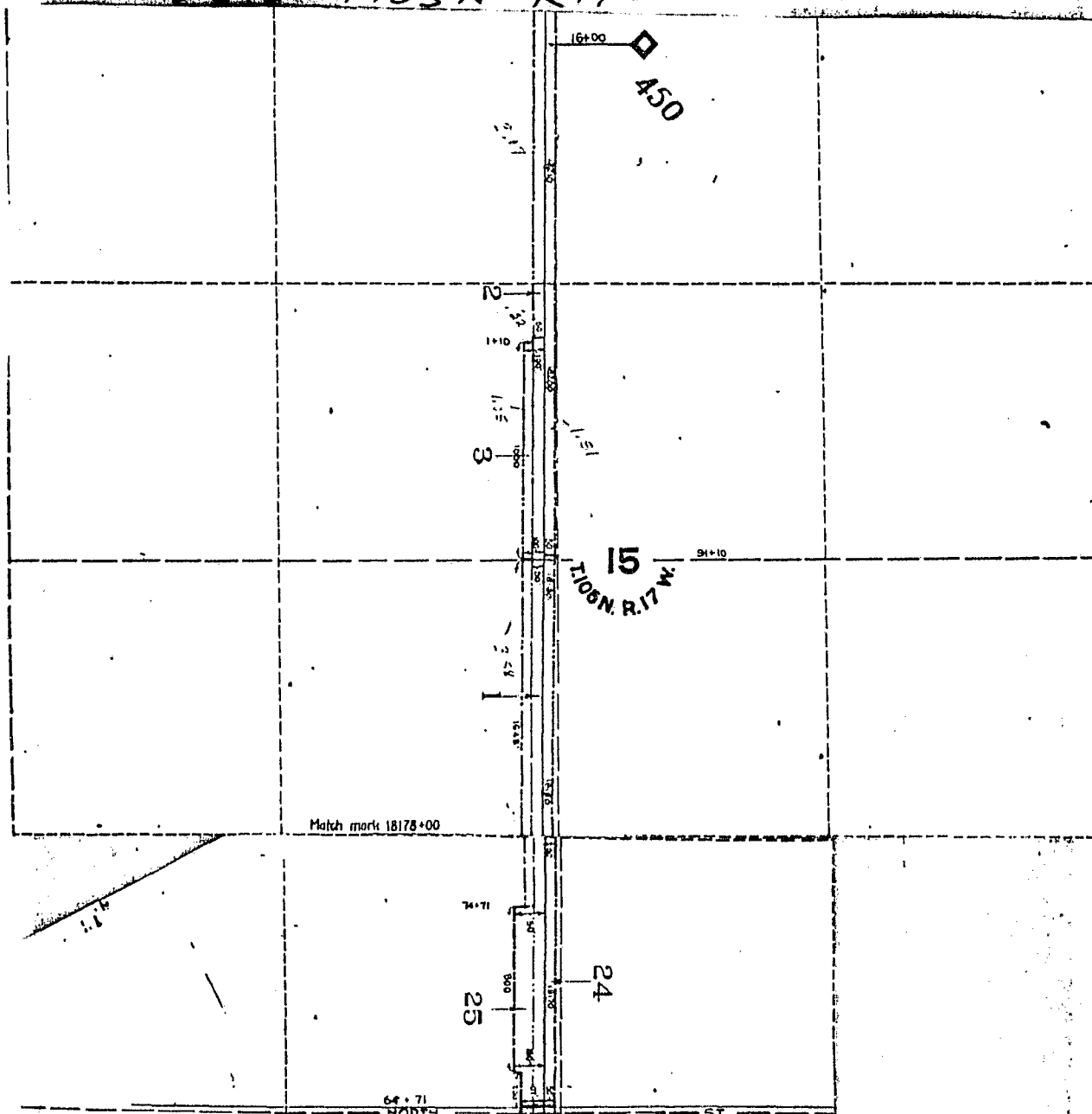
SEC 3 - T105N-R17W



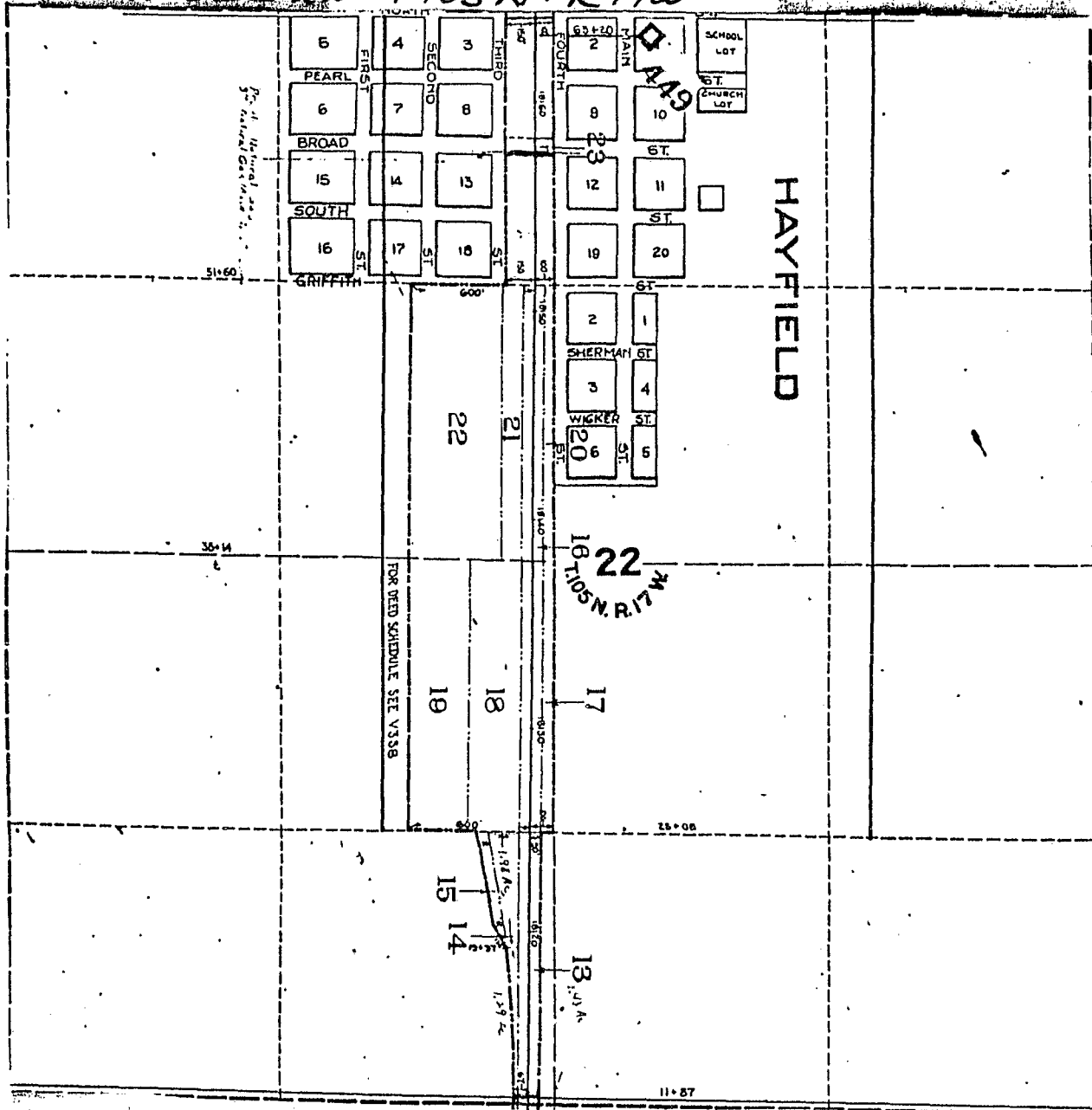
SEC 10-T105N-R17W



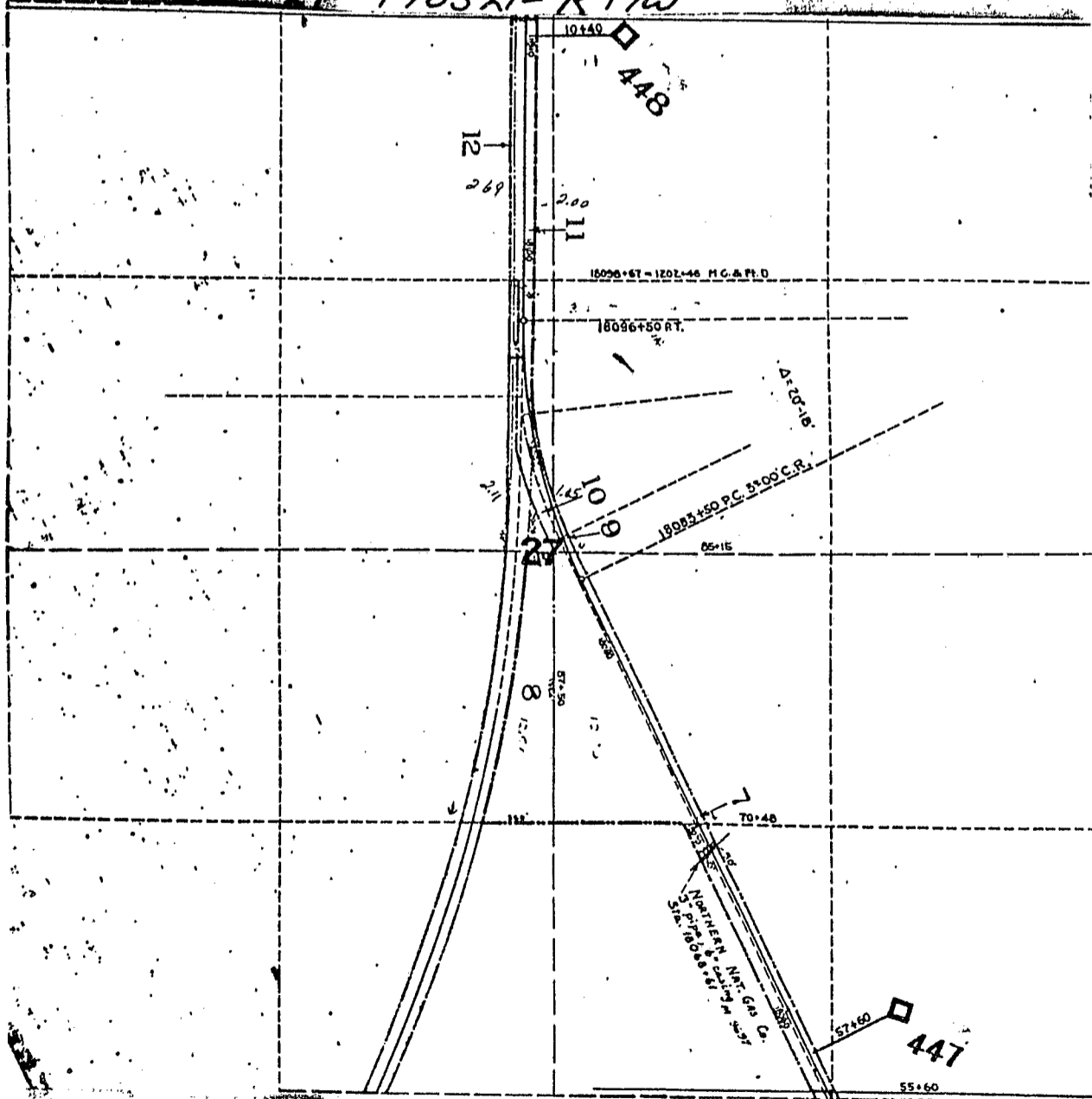
SEC 15 T105N-R17W



SEC 22-7105N-R17W

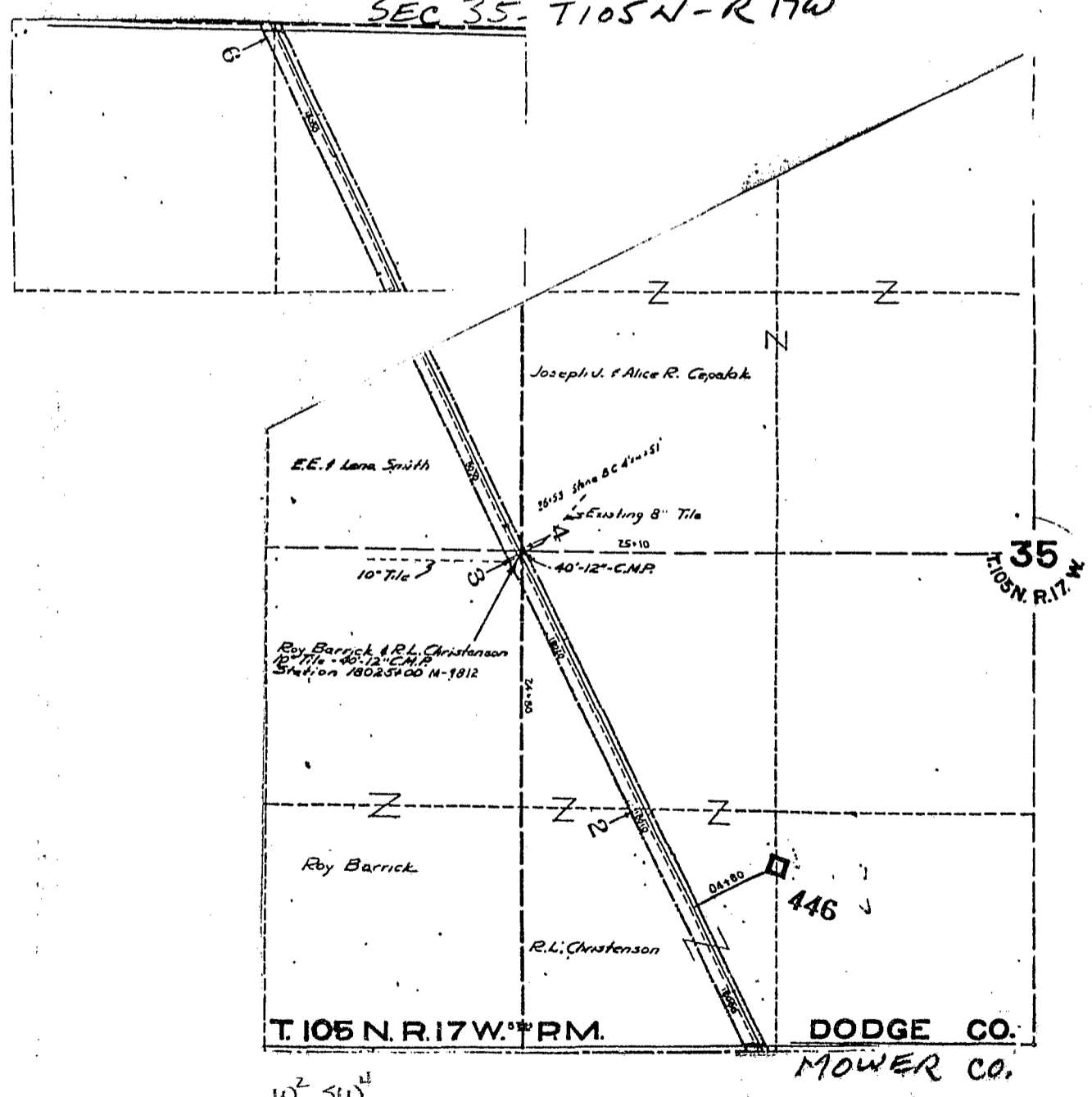


SEC 27 T105N1-R17W



R² NW⁴
 W² NE⁴
 W² SE⁴

SEC 35 - T105N - R17W



W² SW⁴
SE⁴ SW⁴

137262
O.D.

STATE OF MINNESOTA

DEPARTMENT OF STATE

I hereby certify that the within
instrument was filed for record in this
office on the 22 day of Nov
A. D. 1982, at 4:30 o'clock P.M.,
and was duly recorded in Book _____
of Incorporations, on page _____

James Andrew Brown

Secretary of State