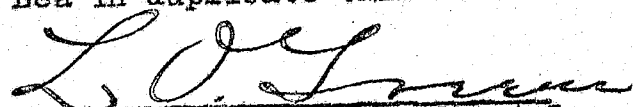


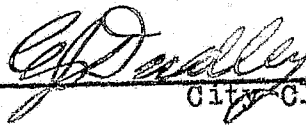
State of Minnesota
County of Freeborn ss
City of Albert Lea

I, L. O. GREENE, the mayor of the city of Albert Lea, Freeborn County, Minnesota, do hereby certify that the hereto annexed amendments to the charter of the city of Albert Lea, were returned to the mayor of the city of Albert Lea by the Board of Fifteen Freeholders of said city of Albert Lea, Minnesota, duly appointed and acting pursuant to section 36 of article 4 of the Constitution of the state of Minnesota and the laws enacted in pursuance thereof, said Board being frequently called the "Charter Commission" of the city of Albert Lea Minnesota, - as a draft of the proposed amendments to said charter, to be submitted to the qualified voters of said city of Albert Lea at the next election thereof; that said amendments were, under the provisions of chapter 199 of the general laws of Minnesota for 1907, and of the other statutes in such case provided, duly submitted to the qualified voters of said city at the next election thereof which was held on the 18th day of October 1909 and that each of said charter amendments were duly ratified by more than three-fifths of all the qualified voters voting thereat.

And I further certify that the hereto attached presentation of the amendments by the said Board of Fifteen Freeholders, frequently called the "Charter Commission" is a true and correct copy of the original draft of the same on file and of record in the office of the city clerk of the city of Albert Lea.

In witness whereof I have signed this certificate and caused it to be authenticated by the corporate seal of the city of Albert Lea in duplicate this 20th day of October 1909.


Mayor of the city of Albert Lea.

Attest: 
City Clerk.

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CHARTER AMENDMENTS

PROPOSED AMENDMENTS to the City Charter of the city of Albert Lea, duly proposed and duly returned and certified to the Mayor as chief magistrate of the city of Albert Lea, Minnesota, September 13th, 1909, by the Board of Fifteen Freeholders of the City of Albert Lea, Minnesota, duly appointed and acting pursuant to Section 36 of Article 4, of the Constitution of the State of Minnesota and the Laws enacted in pursuance thereof; said Board being frequently called the CHARTER COMMISSION of the City of Albert Lea, Minnesota.

AMENDMENT NO. 1.

That section 10 of Chapter 5 of the City Charter of the city of Albert Lea, Minnesota be amended so as to read as hereafter set forth, said amendment to take effect as soon as the certificates provided for in section 36, article 4 of the Constitution of the State of Minnesota have been deposited and recorded as thereby required; said section 10 of chapter 5 as so amended to read as follows:

SECTION 10. The moneys and securities in the city treasury not belonging to any school fund shall be divided into the following named funds, to-wit:

(a) The general fund, into which shall be paid, and in which shall be kept in addition to such moneys as may be raised therefor by taxation, all receipts by the city from license fees, fines and costs, sales of city property, and all moneys received from any source, except such as may be expressly destined for special funds, and from which shall be paid all the ordinary and current expenses, debts and liabilities of the city not otherwise expressly provided for.

(b) The permanent improvement revolving fund into which shall be paid all moneys received from special assessments for paving and from which shall be paid all that portion of the cost of paving which is assessable against property within the city. The city council may, by ordinance, determine that the portion of the cost of any other public improvement or improvements assessable against property within the city be paid from said revolving fund, in which event all moneys received from such special assessment shall be paid into said fund. The city council shall have power and authority to borrow money and issue certificates of indebtedness or bonds therefor, for the creation or maintenance of said permanent improvement revolving fund whenever the proposition for the issuance thereof, specifying generally the purpose of their issuance shall have been submitted either heretofore, now, or hereafter to the qualified voters of said city at any general or special election, and shall have received three-fifths of the votes of the qualified voters of said city voting thereon at such election.

(c) The street improvement fund, into which shall be paid such proportion of the general tax as shall have been determined by the city council in compiling the budget and all moneys not payable into said permanent improvement revolving fund which are received by special assessments for street and sidewalk improvements. No moneys shall be transferred into said fund from any other fund.

(d) The waterworks fund, into which shall be paid all moneys received for water rents. No moneys shall be taken from said fund except for purposes connected with the waterworks and for the payment of interest and principal on the water-

number. But all of any assessment may nevertheless be paid at any time either to the city treasurer before the special assessment roll is transmitted to the county auditor for collection or to the county treasurer after that time.

The city council may by ordinance, provide for the filing of a certified copy of any special assessment roll in the office of the Register of Deeds of Freeborn County, for record, whereupon the amount each tract, lot, or parcel of land will be liable for, and the interest thereon shall be and remain a first and paramount lien on such tract, lot or parcel of land, until fully paid, and shall take precedence of all mortgages, charges, incumbrances or other liens thereon.

AMENDMENT NO. 3.

Amend First subdivision of Sec. 5 of Chapter IV to read as follows, to-wit:

"First—To regulate and license exhibitions of common showmen and shows of all kinds, circuses, the exhibition of caravans, concerts and theatrical performances, also to license and regulate auctioneers, hawkers, peddlers, public halls and other buildings and enclosures used for places of public resort and amusement, billiard tables, pool or pigeon-hole tables, nine or ten-pin alleys, bowling tables, bowling saloons, taverns and saloons, and all persons vending, dealing in and disposing of spirituous, vinous, malt or fermented liquors, and provide such restrictions and prohibitions thereof as to the council seem proper. Provided, that all licenses for dealing in spirituous, vinous, malt or fermented liquors, shall terminate on the first day of July of each year, and shall be at least one thousand (\$1,000) dollars and as much higher as the city council shall direct, and the city council shall have the exclusive right to so license any person. PROVIDED, THAT ON THE PETITION OF TEN PER CENTUM OF THE TOTAL VOTE CAST AT THE LAST REGULAR ELECTION OF SAID CITY, FILED WITH THE CITY CLERK THEREOF AT LEAST TWENTY DAYS BEFORE ANY REGULAR CITY ELECTION, SAID CITY CLERK SHALL GIVE NOTICE, AT THE SAME TIME, AND IN THE SAME MANNER AS THE NOTICE OF SUCH ELECTION, THAT THE QUESTION OF LICENSE WILL BE SUBMITTED AT SUCH ELECTION. SAID QUESTION SHALL BE VOTED ON BY SEPARATE BALLOT FOR THAT PURPOSE AND DEPOSITED IN A SEPARATE BALLOT BOX, AND THE RESULT THEREOF CERTIFIED BY THE CITY CLERK TO THE CITY COUNCIL OF SAID CITY. IF A MAJORITY OF THE LEGAL VOTERS OF SAID CITY VOTING THEREON SHALL BE AGAINST ISSUING LICENSE FOR THE SALE OF ANY SPIRITUOUS, VINOUS, MALT OR FERMENTED LIQUORS, THE CITY COUNCIL SHALL NOT GRANT THE SAME, AND SUCH VOTE SHALL REMAIN IN FORCE UNTIL REVERSED AT A REGULAR SUBSEQUENT ELECTION AT WHICH THE QUESTION OF LICENSE IS AGAIN IN LIKE MANNER SUBMITTED.

State of Minnesota, County of Freeborn,—ss. City of Albert Lea.

WHEREAS, upon application duly made to the District Court of the Tenth Judicial District in and for the county of Freeborn, in the State of Minnesota, the Honorable Nathan Kingsley, Judge of said court, did appoint a Board of fifteen freeholders who had been for the past five years immediately preceding their appointment, qualified voters of the city of Albert Lea, to frame a charter for the government of said city under and pursuant to

of chapter 4, of the Charter of the city of Albert Lea; and

WHEREAS, this Board of fifteen freeholders has originated amendment No. 2 hereto attached; and whereas both of said petitions have this day been filed in the office of the city clerk of said city of Albert Lea;

NOW THEREFORE, We, the undersigned members of said Board of fifteen freeholders hereby sign, submit, present and return to the mayor of the city of Albert Lea, as its chief magistrate, the annexed and foregoing amendments No. 1, No. 2, and No. 3 as and for amendments to said charter of the city of Albert Lea; and we do hereby propose and approve said amendments to said charter and we do hereby certify that said annexed and foregoing amendments so numbered 1, 2, and 3 are proposed amendments to said Charter of said city framed, approved and returned to be voted upon according to law,

Dated at Albert Lea, Minnesota, this 13th day of September, A. D. 1909.

CLEMENT S. EDWARDS,

President.

A. U. MAYLAND, Secretary.

C. H. FARNSWORTH.

GEORGE DROMMERHAUSEN.

D. R. P. HIBBS.

J. H. MENEFREE.

HEMAN BLACKMER.

A. C. SORENSON.

WM. WOHLHUTER.

HENRY A. MORGAN.

Members of said Board of Fifteen Freeholders.

To the City Council of the City of Albert Lea:

The Board of Fifteen Freeholders duly appointed and acting pursuant to section 36, article 4, of the constitution of the state of Minnesota and the laws enacted in pursuance thereof, have on this day returned and certified to me as the chief magistrate of the city of Albert Lea, Minnesota, the hereto attached proposal for the amendment of the charter of said city, heretofore adopted as framed and submitted by said board, which proposal has been duly approved and signed by the requisite number of members of said board of fifteen freeholders, and is hereto annexed, and is hereby referred to and filed with you.

It is therefore incumbent that the authorities of said city make suitable provisions for submitting to the qualified voters of said city the question of the adoption of the said amendments numbered one, two and three; and action should be taken accordingly.

Dated at Albert Lea, Minn., this September 13th, 1909.

L. O. GREENE,
Mayor of said City.

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works bonds. Whenever a deficiency occurs in the waterworks fund money may be transferred from the general fund to the waterworks fund.

(e) The city bond fund, into which shall be paid all moneys raised by taxation for payment of the bonds of the city, and interest thereon, and from which such bonds and interest shall be paid.

(f) The library fund, in which shall be kept all moneys raised by taxation or otherwise, required for the support or benefit of the free public library of the city, and which shall be subject to the order of the proper officers of said library for the payment of the expenses thereof.

(g) And such other special funds as may hereafter be established by any statute of the state, or by city ordinance.

AMENDMENT NO. 2.

That section 26 of Chapter 7 of the city Charter of the city of Albert Lea be amended so as to read as hereafter set forth, said amendment to take effect as soon as the certificates provided for in section 36, article 4 of the Constitution of the State of Minnesota have been deposited and recorded as thereby required; said section 26 of chapter 7 as so amended to read as follows:

SECTION 26. After any special assessment roll shall have been adopted by the city council and before the same shall be delivered to the county auditor for collection, any assessment thereon may be paid direct to the city treasurer of said city; and upon the production of the city treasurer's receipt therefor to the city clerk, he shall enter upon such assessment roll, opposite the assessment so paid, the words "paid to the city treasurer," which entry shall cancel the assessment so paid.

In case interest shall have been included in such assessment, so much of said interest as shall not have accrued on such assessment at the time of payment, shall be deducted therefrom. Interest may, at the option of the city council be included in any special assessment or the city council may provide that any special assessment shall draw interest from the date of the adoption of the special assessment roll.

The interest rate shall not exceed 5 per cent per annum and shall be, as nearly as may be, the same rate that the city pays to secure the money with which to advance the cost of the improvement for which the assessment is made. The city council may, at its option, provide for the payment of the special assessments for any improvement in equal annual installments not exceeding 5 in

section 36 of article 4 of the Constitution of the State of Minnesota and under and pursuant to the Laws enacted in pursuance thereof; and

WHEREAS, the said Board of fifteen freeholders did frame and propose, in accordance with law, such charter for the government of said city, which said charter was duly submitted to the voters of said city at an election held on the 1st day of April, A. D. 1902, and was duly ratified by more than four-sevenths of all the qualified voters voting thereat and was duly adopted in form and manner as by law prescribed, which said charter became and now is the charter of said city prescribing the government of its affairs; and,

WHEREAS, the said Board of fifteen freeholders has been continued as a permanent body and all vacancies therein from all causes, have been duly filled by appointment as by law provided, and which said Board now consists of the following members, viz: C. S. Edwards, H. A. Morgan, D. R. P. Hibbs, Wm. Wohlhuter, Heman Blackmer, Ole Wulf, J. H. Menefee, W. S. Jones, S. P. Swenson, A. C. Sorenson, Veggar Galbrandson, A. U. Mayland, Geo. Drommerhausen, Chris Berthelsen, and C. H. Farnsworth, each and all of whom have duly accepted their said appointment and entered upon the performance of their duties; and

WHEREAS, the said board has been duly organized by the election of a president and secretary, viz: Clement S. Edwards as president, and Andrew U. Mayland as secretary, and

WHEREAS, a certain petition and application in writing of more than 5 per cent of the legal voters of said city of Albert Lea was, on September 11, 1909, duly submitted to said board of fifteen freeholders and filed with the secretary thereof, by which said Board of fifteen freeholders is petitioned to submit to the vote of the people in the manner provided by law, at a special election to be held as soon as possible, the amendment No. 1 to the Charter of the city of Albert Lea hereto attached; and

WHEREAS, a similar petition, and written application of more than 5 per cent of the legal voters of said city of Albert Lea was on July 14th, 1909, duly submitted to said Board of fifteen freeholders and filed with the secretary thereof by which said Board of Fifteen freeholders is petitioned to submit to the vote of the people, in the manner provided by law, an amendment to the first subdivision of section 5,