

Richter, Susan K.

From: Richter, Susan K.
Sent: Tuesday, September 23, 2008 11:12 AM
To: 'Mark Nightengale'
Subject: RE: Bond
Attachments: 1455_001.pdf

Good Morning Mark,

We received the new bond for Heartland Mill, Inc. dba HMI Sourcing from Michigan Millers yesterday. Enclosed is a copy of the bond and attached power. I will be visiting with our Legal Department as I'm not sure the acknowledgment of surety on the bond is sufficient. I'll keep you posted.

*Sue Richter, Licensing Division Director
Public Service Commission
600 East Boulevard Ave - Dept 408
Bismarck, ND 58505-0480
Phone 701-328-4097, Fax 701-328-2410*

From: Mark Nightengale [mailto:mnightengale@heartlandmill.com]
Sent: Tuesday, September 23, 2008 10:44 AM
To: Richter, Susan K.
Subject: Bond

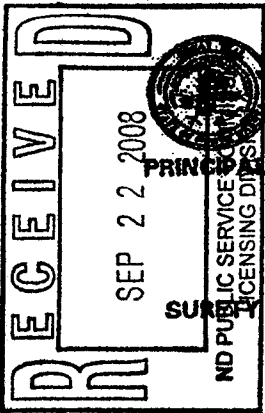
Good Morning Sue,

I am inquiring about our new \$70,000.00 bond North Dakota was asking Heartland Mill, Inc dba HMI Sourcing to obtain. I am told that one has been sent to you @ North Dakota, but I have not had a copy sent to me yet by our bond underwriter. As the person ultimately responsible here at Heartland Mill I am inquiring if you have seen this new \$70,000.00 bond cross your desk yet? I know your time-line was September 30, 08, so keeping this in mind I am following up here to see that gets accomplished. Please let me know the current state of affairs regarding this bond from your end.

Regards,

Mark Nightengale
Heartland Mill, Inc

6 **GE-08-556** Filed: 9/23/2008 Pages: 3
Email to Heartland Mill Regarding Status of New
Bond



**ROVING GRAIN BUYER'S BOND
PUBLIC SERVICE COMMISSION**
SFN 52019 (05-99)

BOND NO: S 0100521

Name HEARTLAND MILL INC dba HMI SOURCING			
Address RR 1 BOX 2	City MARIENTHAL	State KS	Zip Code 67863
Name MICHIGAN MILLERS MUTUAL INSURANCE COMPANY			
Address 2425 E GRAND RIVER AVENUE	City LANSING	State MI	Zip Code 48912

We, the above named PRINCIPAL and SURETY are bound to the State of North Dakota in the penal sum of **SEVENTY THOUSAND & NO/100 DOLLARS (\$70,000.00)** for the use and benefit of all persons selling grain to or through the PRINCIPAL. The payment of the penal sum shall bind ourselves, our heirs, legal representatives, successors, and assigns, jointly and severally.

The PRINCIPAL has made application to the North Dakota Public Service Commission (Commission), to be licensed as a "Roving Grain Buyer", entitled to do business as such any place within the State of North Dakota.

The condition of this obligation is as follows: If the PRINCIPAL shall (1) faithfully perform all duties as a roving grain buyer, (2) comply with the provisions of law and the rules of the Commission applicable to the business of a roving grain buyer, and (3) pay for all grain purchased or marketed and all sums for which the PRINCIPAL shall become liable to persons dealing with the PRINCIPAL or his agent or agents within the State of North Dakota from loss or damage by reason of any violation of law or rules applicable to the business of a roving grain buyer, then this obligation shall be void, otherwise it shall remain in effect, provided, however, that this surety bond shall not accrue to the benefit of any person entering into a credit-sale contract with the PRINCIPAL.

Liability for this undertaking commences on August 01, 2008 and shall be continuous unless the SURETY by certified mail notifies the PRINCIPAL and the Commission that the surety bond has been canceled. The cancellation notice shall state that the surety bond will be canceled ninety (90) days after the receipt of the cancellation notice or on a later date specified by the SURETY. In no event shall the aggregate liability of the SURETY accumulate for each successive annual license renewal period during which the bond is in force but, for losses during any annual license renewal period, shall be limited in the aggregate to the bond amount stated or changed by appropriate endorsement or rider.

The liability of the SURETY for any violation of the obligations hereof by the PRINCIPAL during the period of time the bond remains in effect, shall remain in force thereafter for such period of time as may be permitted under the laws of the State of North Dakota.

This bond, including definitions of the terms used herein, are governed by the provisions of Chapter 60-02.1 of the North Dakota Century Code.

Countersigned by North Dakota Resident Agent: Name/Signature: _____			
Address	City	ND	Zip Code

THIS SECTION TO BE COMPLETED BY PRINCIPAL

ACKNOWLEDGMENT OF PRINCIPAL

State of Kansas)
County of Wichita) ss.
On this 26th day of August, 2008,
before me personally appeared Larry Decker
known to me to be the person or said corporation described in and who executed the within instrument as PRINCIPAL and acknowledged to me that he/she or said corporation executed the same.

Larry Decker
Signature of Principal

Teresa M. Peck
Notary Public

My Commission expires 04-19-2009
NOTARY PUBLIC - State of Kansas
NOREEN WALK
My Appt. Expires 04-19-2009

THIS SECTION TO BE COMPLETED BY SURETY

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

State of _____)
County of _____) ss. SEE
On this _____ day of _____, _____ ATTACHED
before me personally appeared _____
known to me to be _____
of said corporation that is described in and that executed the within instrument as SURETY, and acknowledged to me that such corporation executed the same.

Lloyd G Stickler, Bond Manager
Name and Title of Person Signing for Surety

Carla M. Peck
Signature
Notary Public

My Commission expires 01/10/12

North Dakota Public Service Commission Telephone 701-328-4097
800 E Boulevard Ave Dept 408 Fax 701-328-2410
Bismarck, ND 58505-0480

CARLA M. PECK
Notary Public, State of Michigan, County of Ingham
My Commission Expires January 10, 2012
Acting in the County of Ingham

ATTORNEY-IN-FACT MUST ATTACH VALID POWER OF ATTORNEY FROM SURETY.

POWER OF ATTORNEY
MICHIGAN MILLERS MUTUAL INSURANCE COMPANY
LANSING, MICHIGAN

KNOW ALL MEN BY THESE PRESENTS:

That the MICHIGAN MILLERS MUTUAL INSURANCE COMPANY, in pursuance of authority granted by the resolution of the Board of Directors dated May 14, 1981, which said resolution has not been amended nor rescinded and of which the following is a true and complete copy:

"RESOLVED that the President or any Vice President or Secretary may appoint Resident Vice Presidents, Resident Assistant Secretaries and Attorneys-in-Fact in any State, Territory or Federal District to represent this Company and to act on its behalf within the scope of the authority granted to them in writing, which authority may include the power to make, execute, seal and deliver on behalf of this Company as surety and as its act and deed any and all bonds and undertakings of suretyship and other documents that the ordinary course of surety business may require; and any such Resident Vice President, Resident Assistant Secretary or Attorney-in-Fact may be removed and the authority granted him revoked by the President or any Vice President or Secretary or by the Board of Directors."

Pursuant to the foregoing grant of authority, the undersigned President, R. A. Rasmussen, does hereby nominate, constitute and appoint Lloyd G. Stickler, Richard D. Ries, or Kevin P. Mandeville, Lansing, Michigan, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, as surety, any and all bonds and undertakings of suretyship, and the execution of such bonds or undertakings, in pursuance of these presents shall be as binding upon the said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the said Company in their own proper persons.

In witness whereof, the MICHIGAN MILLERS MUTUAL INSURANCE COMPANY has caused these presents to be signed by its President and its corporate seal to be hereto affixed this 7th day of May, 2007.

Attest:

MICHIGAN MILLERS MUTUAL INSURANCE COMPANY

(SEAL)

J. A. Pratt
J. A. Pratt, Secretary

By Richard A. Rasmussen
R. A. Rasmussen, President

STATE OF MICHIGAN ()
COUNTY OF INGHAM ()

On this day, before the subscriber, a Notary Public in and for said County and State, duly commissioned and qualified, came the above named officer of the MICHIGAN MILLERS MUTUAL INSURANCE COMPANY, to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposeth and saith, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the corporate seal of the said Company, and that the said corporate seal and his signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.

In witness whereof, I have hereunto set my hand and affixed my official seal, at Lansing, Michigan, this 7th day of May, 2007.

(SEAL)

My commission expires January 7, 2012

Brenda K. Smith
Notary Public

I, the undersigned, Secretary of the MICHIGAN MILLERS MUTUAL INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a full, true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary, and affixed the corporate seal of the Company, this 1st day of AUGUST, 2008.

(SEAL)

J. A. Pratt
Secretary