

**Hamre, John G.**

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**From:** efilmingmail@tylerhost.net  
**Sent:** Wednesday, September 15, 2021 8:50 AM  
**To:** Hamre, John G.  
**Subject:** Filing Accepted for Case: 08-2021-CV-01508; Nodak Electric Cooperative, Inc. vs. North Dakota Public Service Commission, et al.; Envelope Number: 4453419

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## Filing Accepted

Envelope Number: 4453419

Case Number: 08-2021-CV-01508

Case Style: Nodak Electric Cooperative, Inc. vs. North Dakota Public Service Commission, et al.



The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

Filing Details	
<b>Court</b>	Burleigh County - South Central District
<b>Case Number</b>	08-2021-CV-01508
<b>Case Style</b>	Nodak Electric Cooperative, Inc. vs. North Dakota Public Service Commission, et al.
<b>Date/Time Submitted</b>	9/14/2021 1:39 PM CST
<b>Date/Time Accepted</b>	9/15/2021 8:48 AM CST
<b>Accepted Comments</b>	
<b>Filing Type</b>	Exhibit
<b>Filing Description</b>	CR Exhibit 53 Exhibit OTP 3 - Resolution on Electric Service to McFarland's Addition
<b>Activity Requested</b>	EFileAndServe
<b>Filed By</b>	John Hamre
<b>Filing Attorney</b>	John Schuh

Document Details	
<b>Lead Document</b>	53 - CR Exhibit 53 Exhibit OTP 3 - Resolution on Electric Service to McFarland's Addition.pdf
<b>Lead Document Page Count</b>	1
<b>File Stamped Copy</b>	<a href="#">View Stamped Document</a>
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RESOLUTION AUTHORIZING EXPANSION OF ELECTRICAL SERVICE TO  
MCFARLAND'S ADDITION TO THE CITY OF DRAYTON

The following Resolution was presented on April \_\_\_\_\_, 2020 at a regularly called meeting of the City of Drayton, to wit:

RECITALS

WHEREAS, the City of Drayton (City) has authority under North Dakota Constitution Article VII, § 11 and N.D.C.C. § 40-05-01(57) to grant a franchise to a company to provide electric services within the municipal boundaries of the City; and

WHEREAS on May 3, 2011, by Ordinance 51, the City granted to Otter Tail Power Company, its successors and assign, "permission to erect, construct, install and maintain within the city of Drayton an electric light and power system and transmission line, and to operate the same, and to install conduits, poles, wire, pipes, and other fixtures in, upon and under the streets, alleys, bridges, and public grounds of said City for the purpose of furnishing electrical light, heat, and power to said City and the inhabitants thereof;" and

WHEREAS, on August 19, 2019, a new subdivision to the City of Drayton was platted and annexed into the City known as McFarland's Addition to the City of Drayton, contained within the N1/2NW1/4-26-159-51 lying westerly of the West right of way of Interstate Highway 29; and

WHEREAS on November 4, 2019 a Deed was recorded to transfer Lot 1 of Block 1 of McFarland's Addition to the City of Drayton to Roserock Holdings LLC with the intention of developing there a Love's Truck Stop facility; and

WHEREAS Love's Truck Stop desires to utilize the existing franchise the City has with Otter Tail Power Company to provide electrical power to said premises; and

WHEREAS Otter Tail Power Company is obligated under its existing franchise agreement to provide electrical services to McFarland's Addition to the City of Drayton; and

WHEREAS the City desires to facilitate the efficient and unified operation of electrical services in the City.

NOW THEREFORE in consideration of the recitals herein contained, BE IT RESOLVED that Otter Tail Power Company's franchise to provide electrical services within the City of Drayton in accordance to Ordinance 51 be extended without ambiguity to McFarland's Addition.

Approved: \_\_\_\_\_

*Charlie Miller*  
Mayor

Attest: \_\_\_\_\_

*Shari Wagner*  
Auditor

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Exhibit OTP 3 - Resolution on Electric Service to  
McFarland's Addition

Otter Tail Power Company

