

City of White
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CITY COUNCIL

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Randy Brown, Mayor
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Kristi Ekern
Barbara Howey
Jackie Pike

Kelly Fitzsimmons
Joyce Krein
Earl Pomrenke

Sheryl Brown
Finance Officer

July 31, 2007

RECEIVED

AUG 02 2007

COPY

OtterTail Power Company
ATTN: Legal
215 S. Cascade
Fergus Falls MN 56537

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: Petition to purchase electric utility and service rights

To Whom It May Concern:

The governing board of the City of White, South Dakota has voted in favor of exercising our option to purchase electric utility and service rights to an area recently annexed into the City Limits legally described as:

“Blocks Two (2), Three (3) and Four (4) of Ballpark Addition to the City of White, Brookings County, South Dakota”

as set forth in South Dakota Codified Law 49-34A-49 and 49-34A-50.

Enclosed please find:

- 1) A copy of Resolution 2006-6 Resolution of Annexation adopted August 7, 2006
- 2) A copy of Resolution 2007-9 Resolution to Offer to Purchase Electric Facilities
- 3) A map of the territory surrounding the annexed area and the annexed area aforementioned

The City Council requests that an “Agreement for Sale of Property and Transfer of Service Territory between the City of White, South Dakota and OtterTail Power Company” be drawn up for both party’s approval.

Sincerely,


Sheryl Brown
Finance Officer

Enclosures

Cc: Alan Glover, City Attorney
Martin Bettmann, SD Public Utilities Commission Staff Engineer
Kevin Kouba, OtterTail Power Company Area Manager

RESOLUTION 2006-6
RESOLUTION OF ANNEXATION

WHEREAS, the owners of more than three-fourths (3/4) of the value of the following described territory and also being more than three-fourths (3/4) of the registered voters residing within the following described territory,

Blocks Two (2) and Three (3) of Ballpark Addition in the SW1/4 of Section 12, T111N, R49W of the 5th P.M., Brookings County, South Dakota

having petitioned for annexation to the City of White, and

WHEREAS, the City of White owns the following described territory,

Block Four (4) of Ballpark Addition in the SW1/4 of Section 12, T111N, R49W of the 5th P.M., Brookings County, South Dakota

to also be considered for annexation to the City of White, and

Whereas, this council having considered the same, and it appearing that there has been compliance with the provisions of SDCL 9-4-1 and 9-4-5, now therefore,

BE IT RESOLVED by the governing body of the City of White, South Dakota, that the following described property shall be annexed into the City of White, South Dakota, to-wit:

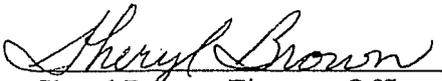
Blocks Two (2), Three (3) and Four (4) of Ballpark Addition in the SW1/4 of Section 12, T111N, R49W of the 5th P.M., Brookings County, South Dakota

Dated this 7 day of August, 2006.



Randy Brown, Mayor

ATTEST:



Sheryl Brown, Finance Officer

RESOLUTION 2007-9

RESOLUTION TO OFFER TO PURCHASE ELECTRIC FACILITIES

WHEREAS, on August 7, 2006 the governing board of the City of White, South Dakota, hereinafter referred to as "City" approved the annexation of Blocks Two (2), Three (3) and Four (4) of Ballpark Addition in the SW ¼ of Section 12, T111N, R49W of the 5th P.M., Brookings County, South Dakota, by Resolution 2006-6, and

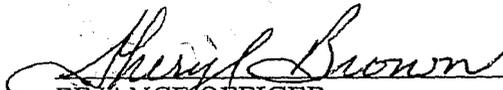
WHEREAS, the City wishes to purchase the electric utility and service rights within the annexed area from OtterTail Power Company as provided for in South Dakota Codified Law 49-34A-49 and 49-34A50.

NOW, THEREFORE, BE IT RESOLVED by the governing board of the City of White, South Dakota that the Mayor and the Finance Officer are hereby directed and authorized to petition OtterTail Power Company for electric utility and service rights as provided for in South Dakota Codified Law.

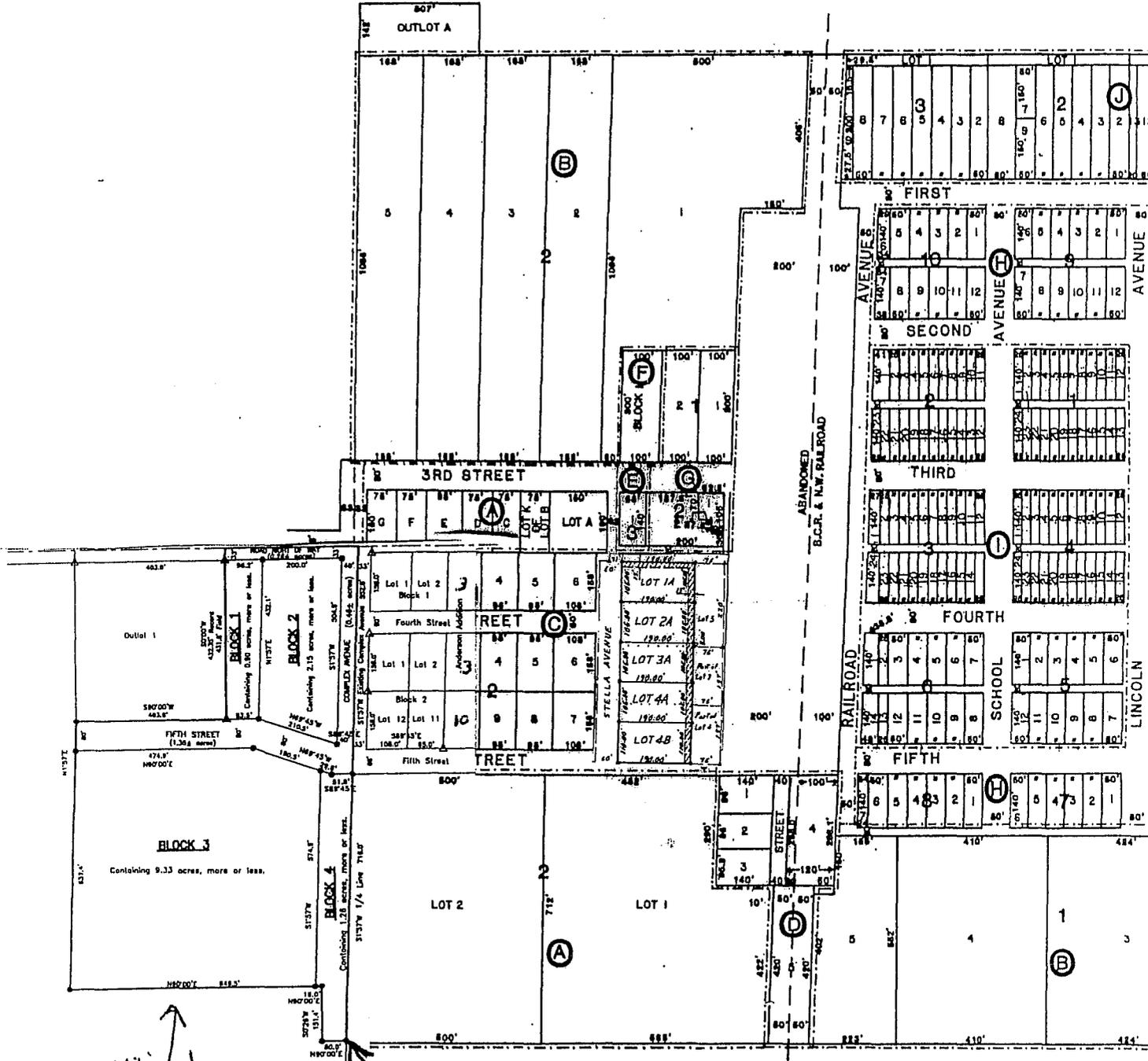
Resolution passed this 31st day of July, 2007


MAYOR

ATTEST:


FINANCE OFFICER

T111N R49W 16
12 7 T111N R48W



Additional
Annexed
Territory

Existing
City Limits

PLAT OF

BLOCKS 1, 2, 3 AND 4 BALLPARK ADDITION
in the SW1/4 of Section 12,
T111N, R49W of the 5th P.M.,
Brookings County, South Dakota