

AN ACT

ENTITLED, An Act to authorize the South Dakota Railroad Authority to acquire certain facilities owned by the Burlington Northern and Santa Fe Railway Company and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. It being declared in the public interest, the South Dakota Railroad Authority, pursuant to chapter 49-16B, is hereby authorized to take such action to acquire, by any of the means permitted in chapter 49-16B, property, real, personal, and mixed, from the Burlington Northern and Santa Fe Railway Company, consisting of easements, rights-of-way, trackage, bridges, rail lines, and spurs, located between mileposts 118.6 near Aberdeen, South Dakota, and milepost 65.60 at the North Dakota/South Dakota border, which are in need of repair, improvement, or replacement. Such property acquired by the authority, and any improvements thereto undertaken as provided in this Act, are declared to be projects within the meaning of § 49-16B-10. Any property acquired by the authority pursuant to this Act may be acquired subject to existing mortgages on or security interests in such property.

Section 2. The authority may undertake, either directly or through a lessee or sub-lessee, such improvements to the portion of the property described in section 1 of this Act as the authority may declare to be necessary to cause such property to be suitable for the uses to be made of it.

Section 3. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to authorize the South Dakota Railroad Authority to acquire certain facilities owned by the Burlington Northern and Santa Fe Railway Company and to declare an emergency.

=====

I certify that the attached Act originated in the

SENATE as Bill No. 253

Secretary of the Senate

=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 253
File No. _____
Chapter No. _____

=====

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

=====

The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State