

Jun. 8. 2007 9:05AM
JUN. 8. 2007 4:09PM

Dodge County District Court

No. 9476 P. 2
NO. 0000 r. 1/8

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DODGE

THIRD JUDICIAL DISTRICT

State of Minnesota,
By Kasson Alliance for Restoration, Inc.,

File No. 20-CV-07-516

Plaintiff,

ORDER

FOR

vs.

TEMPORARY INJUNCTION

City of Kasson, a Minnesota
Municipal Corporation,

Defendant.

This matter came on for hearing, on June 5, 2007 before the Honorable Casey J. Christian, Judge of District Court, pursuant to Plaintiff's Motion for Temporary Injunctive Relief.

Rodney R. Peterson, Attorney at Law, Kasson, Minnesota, and Mark A. Anfinson, Attorney at Law, Minneapolis, Minnesota, appeared on behalf of Plaintiff State of Minnesota by Kasson Alliance for Restoration; George C. Hoff, Attorney at Law, Eden Prairie, Minnesota and Shelley M. Ryan, Attorney at Law, Eden Prairie, Minnesota, appeared on behalf of Defendant City of Kasson.

Based upon the file, records contained therein, and the Court being fully advised upon these premises, the Court makes the following:

ORDER

1. Plaintiff's Motion for a Temporary Injunction is **GRANTED**, in part, provided Plaintiff's post bond as described in paragraph 3 by June 19, 2007. Defendant City of Kasson is temporarily enjoined from demolition of the Kasson Elementary School facilities at 101 3rd Avenue, Kasson, Minnesota, in whole or in part, pending further determination and Order from the Court.
2. To the extent that Plaintiff's motion seeks affirmative relief in the form of protecting against fire, vandalism, destruction, or damages caused from natural causes, the Motion is **DENIED**, sufficient duties to protect against these risks is afforded at law.
3. To perfect injunctive relief under this Order, Plaintiff's shall post cash or bond in the amount of \$50,000 by 4:30 p.m. on June 19, 2007, with Dodge County Court Administration, 22 E. 6th Street, Dept. 12, Mantorville, Minnesota 55955. Said bond is to defray costs, in the form of damages, that may be incurred by Defendant if

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Dodge County District Court

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Plaintiff does not prevail on the merits. Costs in the form of damages are to be construed as those costs incurred in excess of \$198,483 that are directly related to Notice and Advertising requirements of any future bidding process, and those costs that may be incurred if a future re-bidding process results in a higher low bid.

5. A Court trial on the merits shall be held on February 11, 2008 at 8:30 A.M. at the Dodge County Courthouse, 22 E. 6th Street, Mantorville, Minnesota 55955, and is scheduled to last three days.
6. Let the attached Memorandum be incorporated by reference.

6/7/07
Date


Casey J. Christian
District Court Judge