

## **AGREEMENT TO TRANSFER TITLE AND OWNERSHIP**

This Agreement to Transfer Title and Ownership is made on this day of December, 2020 by and between the State of North Dakota, by and through its State Historical Society; the University of North Dakota Student Senate; Blue Key Honor Society, North Dakota State University chapter; University of North Dakota; North Dakota State University; and the North Dakota State Board of Higher Education in order to transfer title and ownership of the Nickel Trophy to the State Historical Society for preservation and display, at its discretion, in perpetuity.

WHEREAS, the Nickel Trophy is a trophy inaugurated in 1938 in the shape of a once-minted U.S. nickel. Said trophy is two inches thick and 22 inches in diameter and weighs 75 pounds;

WHEREAS, previously, the Nickel Trophy was historically owned by the Blue Key Honor Society of UND and the Blue Key Honor Society of NDSU and was awarded by the Blue Key Honor Society of NDSU or UND to the winner of the University of North Dakota-North Dakota State football game;

WHEREAS, the Nickel Trophy has not been awarded to either school since 2003;

WHEREAS, the 65<sup>th</sup> Legislative Assembly passed 2017 Senate Bill 2003 which created North Dakota Century Code (N.D.C.C.) § 15-10-62 which states as follows:

To promote national recognition and statewide enthusiasm, the legislative assembly encourages the university of North Dakota and the North Dakota state university of agriculture and applied science to play for the nickel trophy during the course of a national collegiate athletic association football game. If the athletic director or president of either institution elects not to play for the nickel trophy, the nickel trophy must be permanently displayed in the heritage center.

WHEREAS, neither institution has elected to play for, or display, the Nickel Trophy since enactment of N.D.C.C. § 15-10-62;

WHEREAS, the Blue Key Honor Society chapter for the University of North Dakota has since ceased to exist and its ownership interests vested in the University of North Dakota Student Senate;

THE PARTIES HEREBY AGREE AS FOLLOWS:

1. The University of North Dakota Student Senate; Blue Key Honor Society, North Dakota State University chapter; University of North Dakota; North Dakota State University; and the North Dakota State Board of Higher Education (hereinafter collectively referred to as "donors") hereby irrevocably and unconditionally transfer to the State Historical Society all right, title, and

interest in and to the object previously described herein as the Nickel Trophy, including all owned copyrights, trademarks, and related interests.

2. Donors certify that, to the best of their knowledge, they are all possible lawful owners of said Nickel Trophy and that they are authorized to make this transfer of ownership.
3. Donors understand that by transfer of ownership of the Nickel Trophy, the Nickel Trophy becomes the property of the State of North Dakota, by and through its State Historical Society, and that the State may care for; preserve; display; dispose of; or transfer this object at its sole discretion as allowable by state law.

This Transfer Agreement shall be effective as of the date of the last signature of the parties.

DATED this 22 day of DECEMBER 2020.

BLUE KEY HONOR SOCIETY, NORTH DAKOTA STATE UNIVERSITY

  
\_\_\_\_\_  
Taylor Bengtson, President

  
\_\_\_\_\_  
Margaret Lattrell, Faculty Advisor

DATED this 23 day of DECEMBER 2020.

UNIVERSITY OF NORTH DAKOTA STUDENT SENATE

\_\_\_\_\_  
Matthew Ternus, Student Body President

\_\_\_\_\_  
Cassie Gerhardt, Student Government Advisor

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BLUE KEY HONOR SOCIETY, NORTH DAKOTA STATE UNIVERSITY

\_\_\_\_\_  
\_\_\_\_\_, President

\_\_\_\_\_  
Margaret Lattrell, Faculty Advisor

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

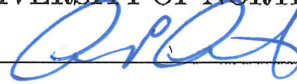
UNIVERSITY OF NORTH DAKOTA STUDENT SENATE

\_\_\_\_\_  
Matthew Ternus, Student Body President

\_\_\_\_\_  
Cassie Gerhardt, Student Government Advisor

DATED this 21<sup>st</sup> day of January 2021  
2020.

UNIVERSITY OF NORTH DAKOTA



Andrew Armacost, President

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

NORTH DAKOTA STATE UNIVERSITY

Dean Bresciani, President

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE BOARD OF HIGHER EDUCATION

Nick Hacker, Chair

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

William D. Peterson, Director


DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

UNIVERSITY OF NORTH DAKOTA

\_\_\_\_\_  
Andrew Armacost, President

DATED this 18<sup>th</sup> day of December 2020.

NORTH DAKOTA STATE UNIVERSITY

  
Dean Bresciani, President

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE BOARD OF HIGHER EDUCATION

\_\_\_\_\_  
Nick Hacker, Chair

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

\_\_\_\_\_  
William D. Peterson, Director

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

UNIVERSITY OF NORTH DAKOTA

\_\_\_\_\_  
Andrew Armacost, President

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

NORTH DAKOTA STATE UNIVERSITY

\_\_\_\_\_  
Dean Bresciani, President

DATED this 17th day of December 2020.

STATE BOARD OF HIGHER EDUCATION

*Nick Hacker*

\_\_\_\_\_  
Nick Hacker, Chair

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

\_\_\_\_\_  
William D. Peterson, Director

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

UNIVERSITY OF NORTH DAKOTA

\_\_\_\_\_  
Andrew Armacost, President

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

NORTH DAKOTA STATE UNIVERSITY

\_\_\_\_\_  
Dean Bresciani, President

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE BOARD OF HIGHER EDUCATION

\_\_\_\_\_  
Nick Hacker, Chair

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

  
\_\_\_\_\_

William D. Peterson, Director