



## Request for Action

**TO:** Faribault EDA  
**FROM:** Deanna Kuennen, Director  
**MEETING DATE:** August 16, 2018  
**SUBJECT:** Conveyance of Real Property (Transfer of Land)  
Resolution 2018-18

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### BACKGROUND:

In May, a request was made by Wanda Holmgren to install an arts installation/ placemaking project on the EDA land located behind the Heritage Bluff apartments. The EDA granted the permission for the Virtues Park project – and at the same time directed Staff to prepare the necessary action to transfer the land to the City. A city trail is located on the land, and since the land serves as a linear city park, the EDA felt that the proper ownership should be with the City.

### REQUESTED ACTION:

Staff worked with legal counsel to determine the proper means to transfer the land. As part of that process – it was identified and suggested that both Outlot B and D of River Ridge Addition, be included in the transfer. Minnesota State Statutes 469.029 and 471.64 provide the applicable provisions that allow the transfer to occur via Quit Claim Deed. The conveyance of both parcels is in the best interest of the public.

EXHIBIT A  
DEPICTION OF THE PROPERTY



## **Agenda Item: 5E**

The attached Resolution conveys the EDA property to the City – showing the exact property in Exhibit A (Outlots B and D), and authorizes the execution of all appropriate documents to complete the conveyance.

**ATTACHMENT:**

Resolution 2018-18 Authorizing Conveyance of Certain Real Property to the City of Faribault

**ECONOMIC DEVELOPMENT AUTHORITY  
FOR THE CITY OF FARIBAULT, MINNESOTA**

**RESOLUTION NO. 2018-18**

**RESOLUTION AUTHORIZING CONVEYANCE OF  
CERTAIN REAL PROPERTY TO THE CITY OF FARIBAULT**

WHEREAS, the Economic Development Authority for the City of Faribault, Minnesota (the “Authority”) is owner of certain real property located in Rice County, Minnesota depicted on Exhibit A attached hereto and legally described as follows:

**Outlots B and D, River Ridge Addition, Rice County, Minnesota**

(the “Property”); and

WHEREAS, the City of Faribault (the “City”) is interested in obtaining the Property from the Authority; and

WHEREAS, the Authority has determined that it is in the best interest of the public to convey the Property to the City; and

WHEREAS, the Authority and the City have followed applicable statutory provisions, including but not limited to, Minn. Stat. § 465.035, Minn. Stat. § 469.029, and Minn. Stat. § 471.64.

NOW, THEREFORE, BE IT RESOLVED, by the Economic Development Authority for the City of Faribault, Minnesota that:

1. The recitals set forth in the preamble to this Resolution and the exhibits attached to this Resolution are incorporated into this Resolution as if fully set forth herein.
2. The conveyance of the Property by the Authority to the City is hereby authorized pursuant to a quit claim deed in substantially the form set forth in Exhibit B.
3. The President and Secretary of the Authority are hereby authorized and directed to execute all appropriate documents to convey title of the Property to the City.

4. The President and Secretary of the Authority, staff and consultants are hereby authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Resolution.

Approved by the Economic Development Authority for the City of Faribault, Minnesota this 16<sup>th</sup> day of August, 2018.

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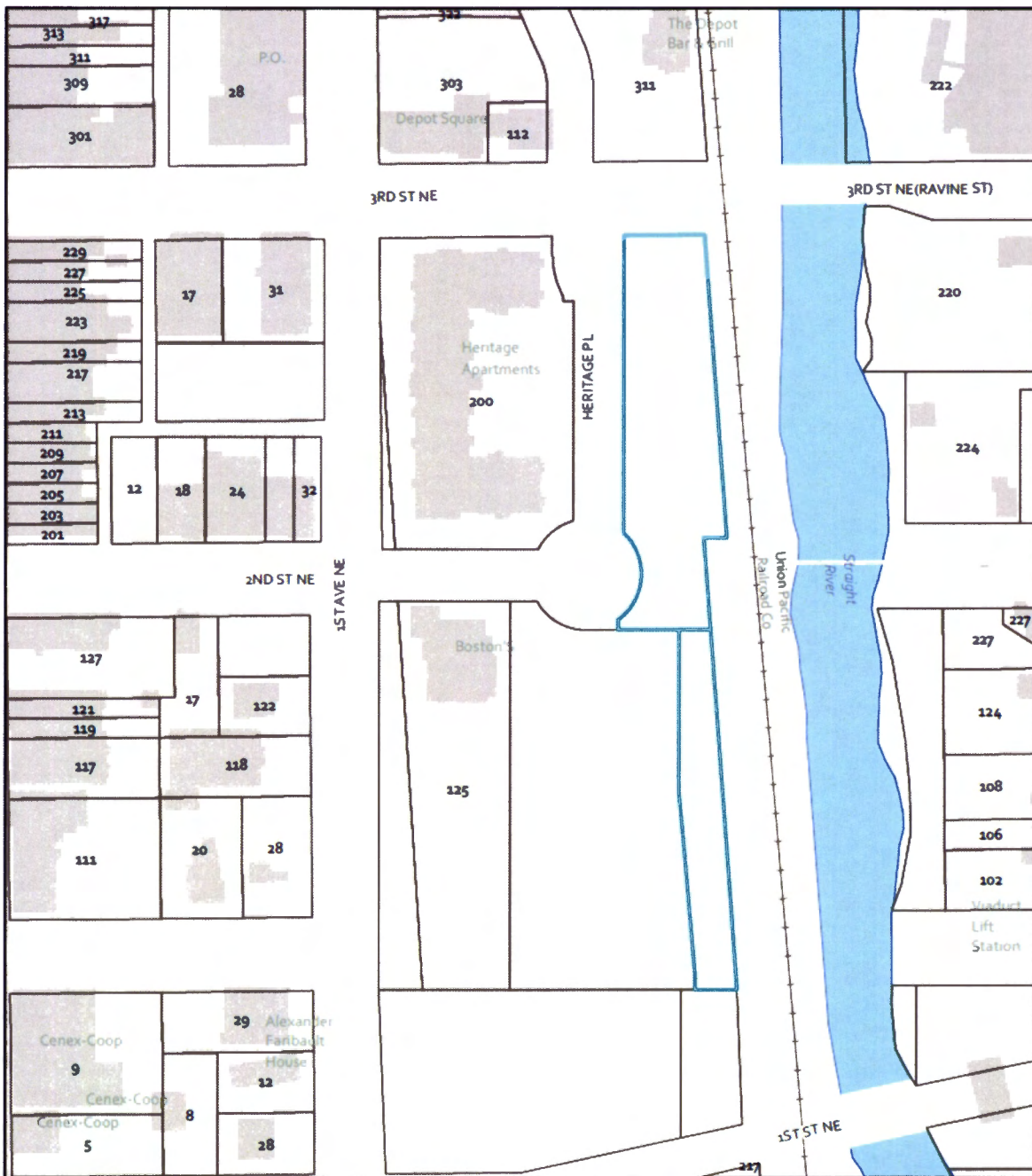
Steve Underdahl  
President

ATTEST:

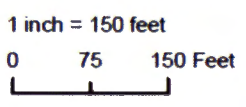
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Dave Albers  
Secretary

# EXHIBIT A DEPICTION OF THE PROPERTY




**City of Faribault**  
 Planning & Zoning Division  
 August 10, 2018



This map is updated periodically to reflect amendments and should be used for general reference purposes. The map is current as of the date of the map. Specific inquiries should be directed to the Planning Division at (507) 334-0100

**EXHIBIT B  
FORM OF QUIT CLAIM DEED**

Quit Claim Deed

STATE DEED TAX DUE HEREON: \$1.65

The total consideration for this transaction is \$500.00 or less.

Date: \_\_\_\_\_

FOR VALUABLE CONSIDERATION, the Economic Development Authority for the City of Faribault, Minnesota, a body politic and corporate under the laws of the State of Minnesota, Grantor, hereby conveys and quitclaims to the City of Faribault, a municipal corporation under the laws of Minnesota, Grantee, real property in Rice County, Minnesota, described as follows:

Outlots B and D, River Ridge Addition, Rice County, Minnesota.

together with all hereditaments and appurtenances.

**ECONOMIC DEVELOPMENT AUTHORITY  
FOR THE CITY OF FARIBAULT, MINNESOTA**

By: \_\_\_\_\_  
Steve Underdahl

Its: President

By: \_\_\_\_\_  
Dave Albers

Its: Secretary

STATE OF MINNESOTA } ss.:

COUNTY OF RICE

The foregoing was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2018, by Steve Underdahl and Dave Albers, the President and Secretary of the Economic Development Authority for the City of Faribault, Minnesota, a body politic and corporate organized under the laws of the State of Minnesota, on behalf of the corporation, Grantor.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Check here if part or all of the land is Registered (Torrens)

Tax Statements for the real property described in this instrument should be sent to:

City of Faribault  
208 First Avenue NW  
Faribault, MN 55021

This instrument drafted by:

Kennedy & Graven, Chartered  
470 U. S. Bank Plaza  
200 South Sixth Street  
Minneapolis, MN 55402  
(612) 337-9300