



## Request for Council Action

**TO:** Mayor and City Council  
**THROUGH:** Tim Murray, City Administrator  
**FROM:** Deanna Kuennen, Com and Econ Dev Director  
**MEETING DATE:** April 23, 2019  
**SUBJECT:** Resolution 2018-081 Authorizing the Acquisition of Certain Real Property within the City of Faribault

### Background:

Per the direction of City Council, Staff has been working with Hamilton Real Estate, Inc. on the plans, necessary applications, and details associated with their proposed market-rate apartment development, known as Hillside Apartments. This proposed development is located at the corner of Division Street W. and Central Avenue and includes the assembly of multiple parcels of land. Currently the Economic Development Authority of the City of Faribault (the "EDA") is the owner of the public parking lot, PID 18.31.1.26.517, included within the overall project site. To simplify the platting and development process, it is recommended that the ownership of this parcel be transferred from the EDA to the City of Faribault. The EDA authorized Resolution 2019-09 "Authorizing Conveyance of Certain Real Property to the City of Faribault" at their April 18, 2019 meeting. A corresponding action by the City of Faribault is required to authorize and accept the EDA's conveyance of the Property to the City.



PID 18.31.1.26.517

**Recommendation:**

Staff recommends that the City Council approve Resolution 2019-081 Authorizing Acquisition of Certain Real Property within the City of Faribault, necessary to simplify the platting and development process associated with the Hillside Apartment development.

**Attachments:**

- Resolution 2019-081 Authorizing Acquisition of Certain Real Property within the City of Faribault

**CITY OF FARIBAULT**

---

**RESOLUTION #2019-081  
AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY  
WITHIN THE CITY OF FARIBAULT**

BE IT RESOLVED by the City Council of the City of Faribault, Minnesota (the "City") as follows:

Section 1. Recitals.

1.01. The City of Faribault (the "City") desires to obtain certain real property, as legally described on Exhibit A attached hereto ("the Property"), which is currently owned by the Economic Development Authority for the City of Faribault (the "EDA").

1.02. On April 18, 2019, the EDA adopted Resolution No. 2019-09 a copy of which is attached hereto as Exhibit B, authorizing the EDA's conveyance of the Property to the City.

1.03. The City has the authority to acquire real property pursuant to Section 9.01 of the City Charter of the City of Faribault.

1.04. The City and the EDA have adhered to all applicable statutory provisions as related to the conveyance of the Property to the City, including but not limited to, Minn. Stat. § 465.035 and Minn. Stat. § 471.64.

1.05. The City has determined that its acquisition of the Property is in the best interests of the City.

Section 2. Findings.

2.01. The recitals set forth above in this Resolution are incorporated into this Resolution as if fully set forth herein and constitute the findings of the City.

Section 3. Implementation.

3.01. The City hereby authorizes and accepts the EDA's conveyance of the Property to the City.

3.02. The City directs City staff to take any appropriate action and to prepare any appropriate documents to facilitate the approvals of the City contained in this Resolution.

3.03. The Mayor, City Administrator, City staff, City attorney, and City 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.

Section 4. Effective Date. This resolution is effective upon the date of its adoption.

**Date Adopted:** April 23, 2019.

**Faribault City Council**

---

**Kevin F. Voracek, Mayor**

**ATTEST:**

---

**Timothy C. Murray, City Administrator**

**EXHIBIT A**  
**Legal Description of the Property**

All of Lot 1 of Block 77 of the original Town (now City) of Faribault, according to the Plat of said Town on file and of record in the office of the Register of Deeds in and for said County of Rice, also that portion of Block 1 of Southern Addition to Faribault described as commencing at the SW corner of the aforesaid Lot 1 of Block 77 of the original Town (now City) of Faribault, and running from thence East on the South line thereof and on the North line of said Block 1 of Southern Addition to Faribault to the West line of Central Avenue North (formerly Main Street) thence South on the said West line of Central Avenue North (formerly Main Street) to the North line of West Division Street (formerly Front Street), thence in a Westerly direction along said North line of Division Street to a point due South of the point of beginning and from thence North to the point of beginning, the said last described tract sometimes being referred to of record as Lot 1 of Block 1 of said Southern Addition, excepting and reserving however from this conveyance the most Westerly 12' in width of both of the above described tracts.

**EXHIBIT B**  
**EDA Resolution**

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

**RESOLUTION NO. 2019-09**

**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 and legally described on Exhibit A attached hereto (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.

**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PROPERTY**

All of Lot 1 of Block 77 of the original Town (now City) of Faribault, according to the Plat of said Town on file and of record in the office of the Register of Deeds in and for said County of Rice, also that portion of Block 1 of Southern Addition to Faribault described as commencing at the SW corner of the aforesaid Lot 1 of Block 77 of the original Town (now City) of Faribault, and running from thence East on the South line thereof and on the North line of said Block 1 of Southern Addition to Faribault to the West line of Central Avenue North (formerly Main Street) thence South on the said West line of Central Avenue North (formerly Main Street) to the North line of West Division Street (formerly Front Street), thence in a Westerly direction along said North line of Division Street to a point due South of the point of beginning and from thence North to the point of beginning, the said last described tract sometimes being referred to of record as Lot 1 of Block 1 of said Southern Addition, excepting and reserving however from this conveyance the most Westerly 12' in width of both of the above described tracts.

**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: April 18, 2019

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:

All of Lot 1 of Block 77 of the original Town (now City) of Faribault, according to the Plat of said Town on file and of record in the office of the Register of Deeds in and for said County of Rice, also that portion of Block 1 of Southern Addition to Faribault described as commencing at the SW corner of the aforesaid Lot 1 of Block 77 of the original Town (now City) of Faribault, and running from thence East on the South line thereof and on the North



Approved by the Economic Development Authority for the City of Faribault, Minnesota this  
18<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Rodney Gramse  
President

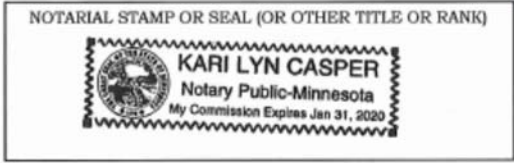
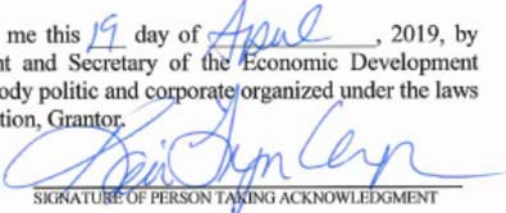
ATTEST:

  
\_\_\_\_\_  
Dave Albers  
Secretary

STATE OF MINNESOTA } ss.:

COUNTY OF RICE

The foregoing was acknowledged before me this 19 day of April, 2019, by Rodney Gramse 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.



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