



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Mark DuChene, City Engineer
MEETING DATE: July 28, 2020
SUBJECT: Resolution 2020-112 Authorize Conveyance of Real Property from the City of Faribault to the Housing and Redevelopment Authority of the City of Faribault

Background:

The City purchased the properties at 734 & 810 Division Street in 2019 in order to accommodate the extension of State Avenue from Division Street to TH 60. Subsequently, the structures at 734 Division Street have been demolished and the City Council approved the State Avenue Subdivision preliminary and final plat on March 10, 2020 per Resolution 2020-034.

The State Avenue Subdivision plat dedicated the public right-of-way for the extension of State Avenue as well as created Lot 1, Block 1 (810 Division Street) and Lot 1, Block 2 (734 Division Street). Lot 1, Block 2 is a vacant parcel and Lot 1, Block 1 contains the home and garage for 810 Division Street.

At the June 23, 2020 City Council meeting the Council approved Resolution 2020-100 which declared the two parcels as surplus property and directed staff to first see if the City's Housing and Redevelopment Authority (HRA) would be interested in taking the vacant parcel and redeveloping it. The HRA met on July 13, 2020 and expressed interest in the vacant lot if the City would convey it to them for \$1.

The attached resolution proposes to convey said vacant lot the HRA for the redevelopment of the lot as a single-family residential home site within the HRA's applicable guidelines.

Recommendation:

Approve Resolution 2020-112

Attachments:

- Resolution 2020-112
- Copy of State Avenue Subdivision Plat

CITY OF FARIBAULT

RESOLUTION #2020-112

AUTHORIZE CONVEYANCE OF REAL PROPERTY FROM THE CITY OF FARIBAULT TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF THE CITY OF FARIBAULT

WHEREAS, the City of Faribault (the "City") previously acquired property legally described as set forth in Exhibit A (the "Subject Property"); and

WHEREAS, the Subject Property is presently vacant land; and

WHEREAS, there is no future use of the Subject Property contemplated by the City and the Subject Property per Resolution 2020-100 has previously been deemed surplus property; and

WHEREAS, the City desires to work in conjunction with the Housing & Redevelopment Authority of the City of Faribault (the "HRA") to oversee the sale of the Subject Property; and

WHEREAS, the City is authorized to convey real property to the HRA pursuant to Minnesota Statutes, Sections 465.035 and 471.64; and

WHEREAS, the City and HRA have followed applicable statutory provisions, including but not limited to, Minnesota Statutes, Section 465.035, Minnesota Statutes, Section 469.024 and Minnesota Statutes, Section 471.64, in authorizing the conveyance of the Subject Property; and

WHEREAS, the City has determined it is most cost effective to convey the Subject Property to the HRA in consideration of one dollar (\$1.00) and other good and valuable consideration pursuant to this Resolution and a standard quit claim deed; and

WHEREAS, the Subject Property shall be subsequently conveyed by the HRA pursuant to Minnesota Statutes, Section 469.029 for development purposes, including for the use as and construction of single-family residential housing; and

WHEREAS, the City finds and determines that conveyance of the Subject Property as contemplated herein to the HRA is for a public purpose and is in the public interest.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Faribault, Minnesota as follows:

1. The recitals set forth in the preamble to this Resolution and the exhibits, if any, attached to this Resolution are incorporated into this Resolution as if fully set forth herein.
2. The City Council finds and determines that the requirements of Minnesota Statutes, Section 462.356, Subdivision 2 are hereby satisfied, or alternatively, dispensed with based upon the findings of the City Council.
3. The City Council finds and determines that the transaction herein referenced and contemplated is for a public purpose and is in the public interest.
4. The City Council approves the conveyance of the Subject Property to the HRA pursuant to Minnesota Statutes, Section 465.035 and Minnesota Statutes Section 471.64, and authorizes and directs the Mayor and City Administrator to execute the deed and related documents necessary to facilitate the transaction referenced herein and contemplated herein, with all such actions to be in accordance with the terms and conditions set forth in this Resolution.
5. The City shall convey the Subject Property to the HRA in consideration of one dollar (\$1.00) and other good and valuable consideration pursuant to this Resolution and a standard quit claim deed, and the HRA shall subsequently sell and convey the Subject Property pursuant to Minnesota Statutes, Section 469.029 for redevelopment purposes, including for the use as single-family residential housing.
6. The subsequent conveyance of the Subject Property by the HRA shall be subject to the following terms and conditions:
 - a. The Subject Property shall obtain all applicable planning and zoning approvals and necessary building and other permits.
7. The Mayor and City Administration of the City are hereby authorized to execute all required documents necessary in furtherance of this property transfer.
8. The Mayor and City Administrator, staff and City Attorney 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.

Date Adopted: July 28, 2020

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

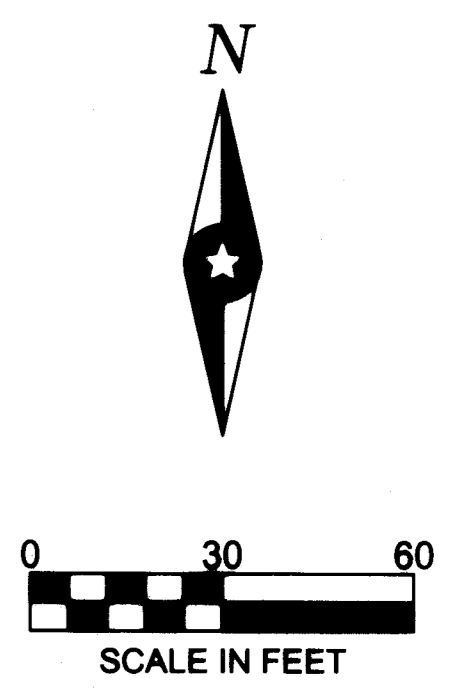
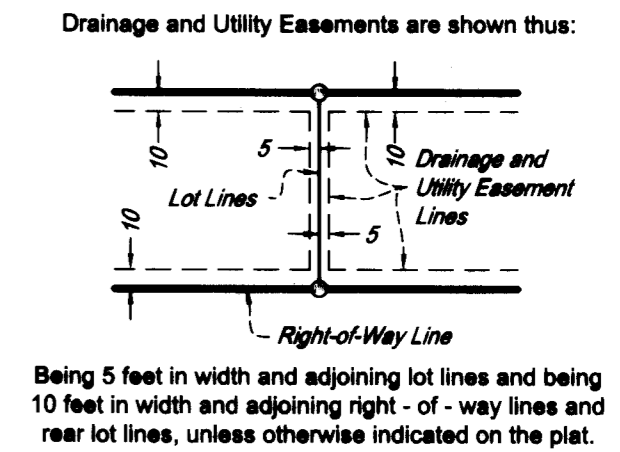
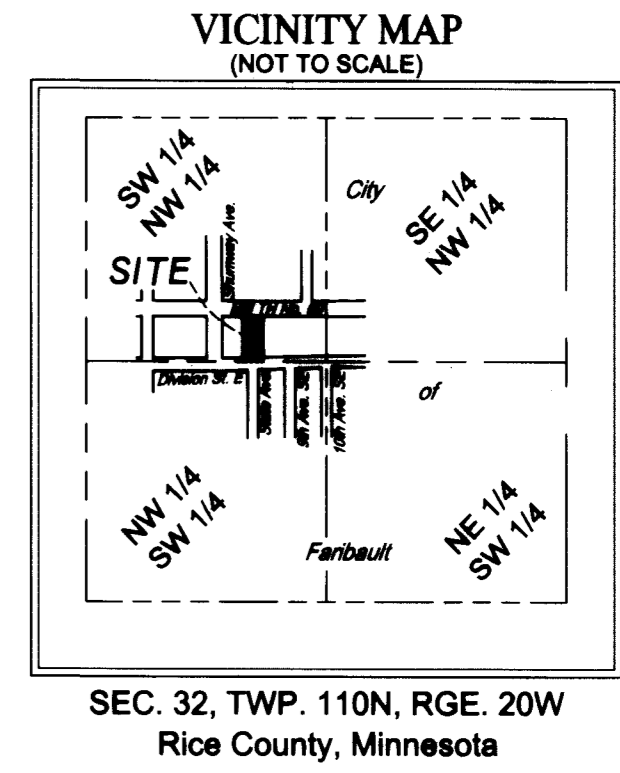
Timothy C. Murray, City Administrator

EXHIBIT A

Lot 1, Block 2 State Avenue Subdivision in the County of Rice, Minnesota

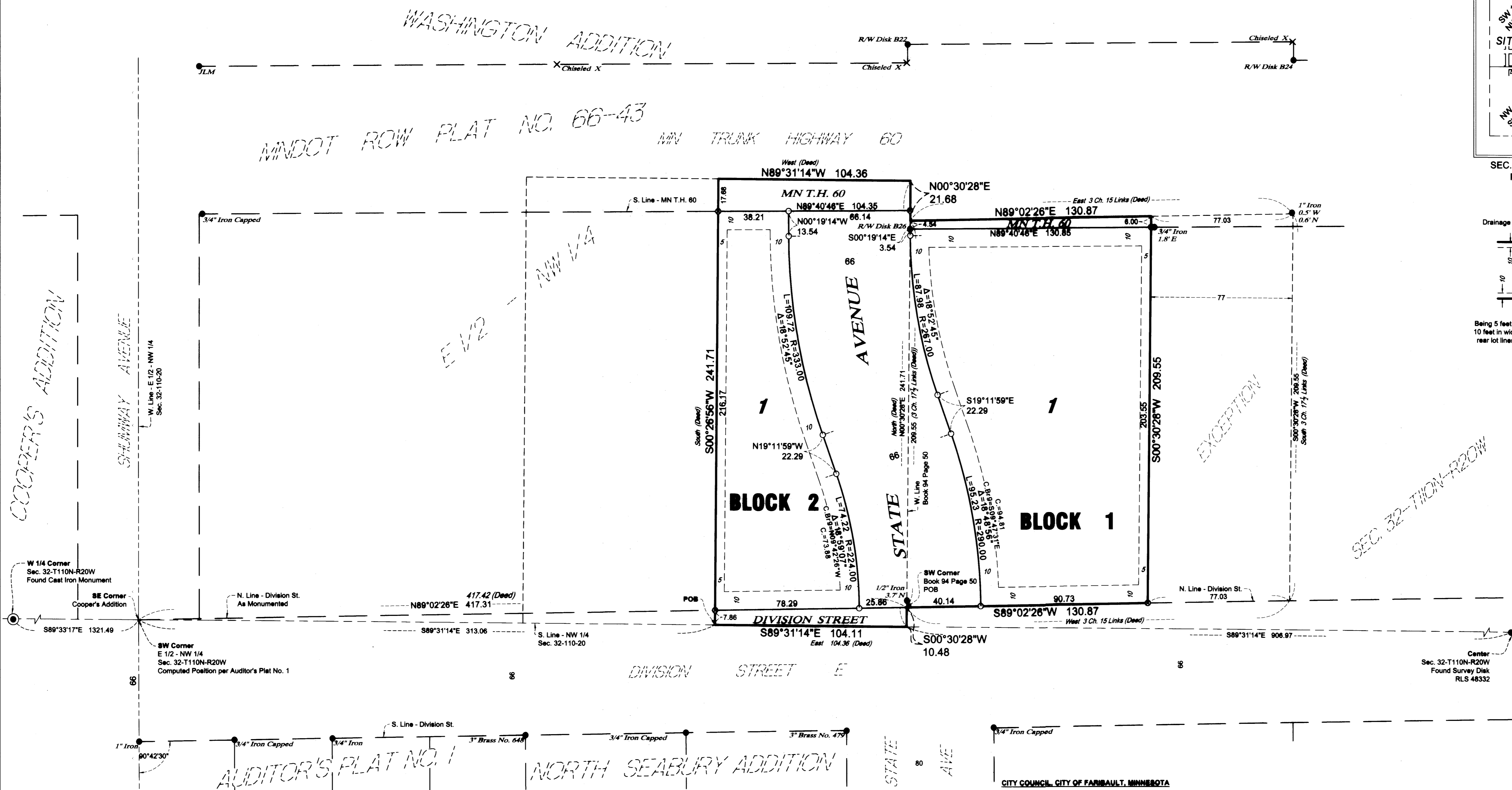
PID 18.32.2.80.001

STATE AVENUE SUBDIVISION



BEARING NOTE:
The orientation of this bearing system is based on the South line of the E 1/2 of the NW 1/4 of Section 32 Township 110 North Range 20 West. Said line bears South 89 degrees 31 minutes 14 seconds East.

- LEGEND**
- Iron Monument Found
 - ✕ Chiseled "X" Found
 - ⊙ Indicates 1/2" Dia. x 18" Long Solid Iron Pipe Set With Plastic Cap Marked By ISG, License No. 43110 To Be Set Before Time Of Recording.
 - Indicates 1/2" Dia. x 18" Long Solid Iron Pipe Set With Plastic Cap Marked By ISG, License No. 43110 To Be Set Within One Year Of Recording.



INSTRUMENT OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Faribault, a Minnesota municipal corporation, owner of the following described property:

Beginning at a point on the North line of Division Street in the City of Faribault, 417.42 feet East of the Southeast corner of Cooper's Addition to the Town (now City) of Faribault; said point being at the Southwest corner of that certain tract of land conveyed by Edward Sweeney to Edward J. Sweeney by deed recorded in the office of the County Recorder of said Rice County, in Book 94 of Deeds on page 50; thence running North along the West line of said land conveyed to said Edward J. Sweeney, as aforesaid, 3 chains and 17 1/2 links; thence East parallel with the North line of Division Street 3 chains and 15 links; thence South parallel with said first line 3 chains and 17 1/2 links to the North line of said Division Street; thence West along the North line of said Division Street 3 chains and 15 links to the place of beginning; BUT EXCEPTING THEREFROM the East 77 feet thereof; all the foregoing being in NW 1/4 of Section 32, Township 110 North, Range 20, in the City of Faribault.

AND

Commencing 313 6/100 feet East of the Southwest corner of the East 1/2 of the Northwest 1/4 of Section 32 of Township 110 North of Range 20 West, running thence East 104 36/100th feet; thence North 241 71/100th feet; thence West 104 36/100th feet; thence South 241 71/100th feet to the point of beginning in the County of Rice and State of Minnesota.

Has caused the same to be surveyed and platted as **STATE AVENUE SUBDIVISION** and does hereby dedicate to the public, for public use, the public ways and drainage and utility easements as created by this plat.

In witness whereof said City of Faribault, a Minnesota municipal corporation, has caused these presents to be signed by its proper officer this 20th day of June, 2020.

[Signature]
Mayor

[Signature]
City Administrator

State of Minnesota
County of Rice

This instrument was acknowledged before me on JUNE 23, 2020, by Kevin F. Wallace, Mayor, and Timothy C. Mummy, City Administrator, of City of Faribault, a Minnesota municipal corporation, on behalf of the corporation.

[Signature] (sign)
Harvard Secota (print)
Notary Public 31649141
My Commission Expires Jan. 31 2022

SURVEYOR'S CERTIFICATE

I, Daniel L. Stueber, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this 18 day of JUNE, 2020

[Signature]
Daniel L. Stueber, Licensed Land Surveyor
Minnesota License No. 43110

State of Minnesota
County of Blue Earth

This instrument was acknowledged before me on June 18, 2020, by Daniel L. Stueber, Licensed Land Surveyor.

[Signature]
Kent A. Hays
Notary Public, Minnesota
My Commission Expires Jan. 31, 2025

CITY COUNCIL, CITY OF FARIBAULT, MINNESOTA

This plat of **STATE AVENUE SUBDIVISION** was approved and accepted by the City Council of the City of Faribault, Minnesota at a regular meeting thereof held this 10th day of March, 2020, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Faribault, Minnesota

[Signature]
Mayor

[Signature]
City Administrator

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, 505.021, Subd. 11, this plat has been reviewed and approved this 25th day of June, 2020.

[Signature]
Michael Fangman
Rice County Surveyor

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 2020 on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this 25th day of June, 2020.

[Signature], Deputy
Denise Anderson
Property Tax & Elections Director

COUNTY RECORDER

County Recorder, County of Rice, State of Minnesota

I hereby certify that this plat of **STATE AVENUE SUBDIVISION** was filed in the office of the County Recorder for public record on this 25th day of June, 2020, at 3:15 o'clock P.M. and was duly filed as Document Number 727519.

[Signature]
Judy Van Erp
Rice County Recorder

