



## Legislation Text

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**File #:** 21-0229R, **Version:** 1

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### RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF A DECLARATION OF RESTRICTIVE COVENANT OVER WHEELER ATHLETIC COMPLEX AND WADE STADIUM.

#### CITY PROPOSAL:

WHEREAS, Resolution No. 19-0187 authorized the City to apply for and accept a grant from the state of Minnesota, department of natural resources to fund certain improvements at Wheeler Athletic Complex and Wade Stadium (the "Grant"); and

WHEREAS, a condition of the Grant requires the filing of a declarative of restrictive covenant against the real property improved with the Grant so that it is permanently managed and maintained for public outdoor recreation use.

NOW THEREFORE, BE IT RESOLVED, that the proper city officials are hereby authorized to execute the Declaration of Restrictive Covenant substantially in the form attached as Exhibit 1, affecting the real property located in St. Louis County, Minnesota legally described on Exhibits A and B attached to Exhibit 1.

FURTHER RESOLVED, that the proper city officials are hereby directed to file the Declaration of Restrictive Covenant with the St. Louis County Recorder and/or Registrar of Titles in order to properly effectuate the Declaration of Restrictive Covenant.

**STATEMENT OF PURPOSE:** The purpose of this resolution is to authorize the execution and filing of a Declaration of Restrictive Covenant against the Wheeler Athletic Complex and Wade Stadium. The property to be restricted is outlined in red on the attached Exhibit 2.

Under Resolution 19-0187, the city accepted a grant from the state of Minnesota, department of natural resources for a \$250,000 outdoor recreation grant for improvements at Wheeler Athletic Complex and Wade Stadium (the "Grant"). Improvements funded by the Grant include new tennis/pickle ball courts, bocce ball courts, basketball courts, and softball pin wheel, as well as upgrades to the little league fields and parking lot at Wade Stadium. A condition of the Grant requires that the city file the Declaration of Restrictive Covenants to ensure that the property is permanently managed and maintained for public outdoor recreation use.