



## Legislation Text

**File #:** 24-0436R, **Version:** 1

RESOLUTION AUTHORIZING THE EXECUTION AND RECORDATION OF THREE DOCUMENTS AFFECTING REAL PROPERTY RECENTLY ACQUIRED FROM PARK HILL CEMETERY ASSOCIATION IN THE MORLEY HEIGHTS/PARKVIEW NEIGHBORHOOD.

### CITY PROPOSAL:

WHEREAS, Resolution No. 23-0816 authorized the City to acquire the real property legally described on the attached Exhibit 1 (the "Property") from Park Hill Cemetery Association;

WHEREAS, acquisition of the Property was funded by the following three sources (collectively, the "Grants"):

- |           |   |
|-----------|---|
| \$400,000 | Conservation Partners Legacy Program Grant authorized under Resolution No. 22-0408                                    |
| \$100,000 | Minnesota Department of Natural Resources Lake Superior Coastal Program Grant authorized under Resolution No. 23-0707 |
| \$164,800 | Conservation Partners Legacy Program Grant authorized under Resolution No. 21-0976                                    |

WHEREAS, a condition of the Grants require the execution and recordation of certain documents to ensure the Property: (i) is used for the purposes of which it was acquired for and in accordance with the terms of the Grants and (ii) not sold, transferred, pledged, or otherwise disposed of without the written approval from the grantors of the Grants.

NOW, THEREFORE, BE IT RESOLVED, that the proper city officials are hereby authorized to execute the Notice of Funding Restrictions, substantially in the form attached as Exhibit 2 ("Restriction No. 1"), affecting the Property legally described on Exhibit A to the attached Exhibit 2.

FURTHER RESOLVED, that the proper city officials are hereby authorized to execute the Notice of Funding Restrictions, substantially in the form attached as Exhibit 3 ("Restriction No. 2"), affecting the Property legally described on Exhibit A to the attached Exhibit 3.

FURTHER RESOLVED, that the proper city officials are hereby authorized to execute the Declaration of Restrictive Covenant, substantially in the form attached as Exhibit 4 ("Restriction No. 3"), affecting the Property legally described on Exhibit A to the attached Exhibit 4.

FURTHER RESOLVED, that the proper city officials are hereby directed to record the executed Restriction No. 1, Restriction No. 2 and Restriction No. 3 with the St. Louis County Registrar of Titles in order to properly evidence the documents in the real estate records.

**STATEMENT OF PURPOSE:** This resolution authorizes the execution and recordation of three encumbrances against certain real property recently acquired from Park Hill Cemetery Association (the "Property"). The Property is located on both sides of Vermilion Road near Downer Park in the Morley Heights/Parkview neighborhood. The city received three grants that funded the purchase of the Property (the "Grants"). A condition of the Grants require the execution and recordation of certain documents to ensure the Property: (i) is used for the purposes of which it was acquired for and in accordance with the terms of the Grants and (ii) not sold, transferred, pledged, or otherwise disposed of without the written approval from the grantors of the Grants.

The real property to be encumbered by these documents is depicted in blue on the map attached as Exhibit 5.

