



Legislation Text

File #: 19-0703R, **Version:** 1

RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY ADJACENT TO SKYLINE PARKWAY FROM THE RICHARD A. PETERSON REVOCABLE TRUST UNDER AGREEMENT DATED DECEMBER 30, 2008 IN THE AMOUNT OF \$400,000, PLUS RELATED COSTS IN AN AMOUNT UP TO \$20,000, FOR A TOTAL AMOUNT NOT TO EXCEED \$420,000.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into a purchase agreement, substantially the same as that on file with the office of the City Clerk, with the trustees of the Richard A. Peterson Trust under Agreement dated December 30, 2008, authorizing the purchase of a real property, consisting of approximately 43 acres, and legally described as (the "Property"):

All that part of the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$), Section Six (6), Township Forty-nine (49), Range Fourteen (14) West of the Fourth Principal Meridian lying Northerly of a One Hundred foot (100') parcel of land for extension of the boulevard as described in Book of Deeds 623, Page 497.

AND

All that part of the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$), Section Six (6), Township Forty-nine (49), Range Fourteen (14) West of the Fourth Principal Meridian lying Southerly of a One Hundred foot (100') parcel of land for extension of the boulevard as described in Book of Deeds 623, Page 497 and lying within the Westerly Four Hundred Twenty-five and 75/100ths feet (W'ly 425.75) feet of the North Half of Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$).

FURTHER RESOLVED, that the proper city officials are hereby authorized to disburse four hundred thousand dollars (\$400,000) for the purchase price of the Property, plus an additional amount up to \$20,000 for related costs in connection with the transaction, payable from Fund 205-130-1220-5510 (Parks Fund, Community Resources, Parks Capital, Land).

FURTHER RESOLVED, that the proper city officials are hereby authorized to execute all documents necessary to effectuate the acquisition of the real property from the Richard A. Peterson Trust under Agreement dated December 30, 2008.

STATEMENT OF PURPOSE: The purpose of this resolution is to authorize the purchase of the above-described real property, approximately 43 acres in size, from the Richard A. Peterson Trust under Agreement dated December 30, 2008, under the terms and conditions of the purchase agreement attached as Exhibit 1. The property is adjacent to Skyline Parkway in the Piedmont Heights neighborhood. The purchase price for the property is \$400,000 (the "Purchase Price"), plus an additional amount up to \$20,000 for associated costs including but not limited to the appraisal, survey, title examination fee, title insurance premium, deed tax, recording fees, closing costs and the prorated property taxes (the "Associated Costs"). An aerial view of the property to be purchased is attached as Exhibit 2.

Under Resolution No. 19-0617, the city council authorized the city to apply for a grant with the Minnesota Department of Natural Resources for a conservation partners legacy grant (the "Grant") in the amount of \$400,000 to pay for the Purchase Price. If the grant is awarded, the city will use the Grant funds to pay the Purchase Price. The City would pay for the Associated Costs with its own funds and the cost of the Associated Costs would be used as a match for the Grant. The city is able to terminate the purchase agreement if the Grant is not awarded and would not be obligated to purchase the real property.

The Grant program funds land acquisitions that restore, enhance, or protect forests, wetlands, prairies, and habitat for fish, game, and wildlife in Minnesota. The proposed acquisition would advance these goals by protecting important Merritt Creek trout habitat, expanding the deer hunting area in the annual City of Duluth bow hunt, and preventing fragmentation of forest habitat utilized by a variety of species.