

CITY OF NORTHFIELD, MINNESOTA
NORTHFIELD ECONOMIC DEVELOPMENT AUTHORITY
RESOLUTION 2019-006

A RESOLUTION BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF
NORTHFIELD, MINNESOTA, APPROVING THE SALE OF REAL PROPERTY IN
NORTHFIELD, MINNESOTA, AND DISPENSING WITH REVIEW OF THE SALE BY THE
NORTHFIELD PLANNING COMMISSION

WHEREAS, the Economic Development Authority of the City of Northfield, Minnesota (“EDA” or “Seller”) desires to sell certain EDA owned real property located at 510 Washington Street South in the City of Northfield, Rice County, Minnesota, PID No. 2206225097, legally described on Exhibit A, which is attached hereto and incorporated herein by reference, referred to herein as the “Property”; and

WHEREAS, the EDA, pursuant to Minnesota Statutes, Section 469.105, did place a notice, a copy of which with proof of publication is on file in the office of the EDA, of a public hearing of the proposed sale of the Property in a legal newspaper, said hearing to be held to determine the advisability of the sale; that the sale and conveyance are in the public interest, the best interests of the city or district and its people, and that the transaction furthers the EDA’s general plan of economic development and the aims and purposes of Minnesota Statutes, Sections 469.090 to 469.108; and

WHEREAS, Rebound / Stencil Development LLC (the “Buyer” or “Developer”) has submitted a proposal to purchase the Property described in Exhibit A for a residential development project including affordable housing; and

WHEREAS, the Developer is specifically proposing the construction of an apartment building project containing approximately 79 total residential units along with an attached parking facility (the “project”); and

WHEREAS, pursuant to Minnesota Statutes, Section 469.105, subd. 7, a conveyance of the Property must not be made until the Developer gives the EDA plans and specifications for the project to develop the Property sold by the EDA to the Developer, and the EDA must approve the plans and specifications in writing; and

WHEREAS, the EDA has investigated the facts of the proposed sale of said Property, the terms and conditions of said sale, received and reviewed the preliminary project plans and specifications, the proposed use of said Property, and the relation of the project use to the district in general plan of economic development and the aims and purposes of Minnesota Statutes, Sections 469.090 to 469.108; and

WHEREAS, the Buyer of the Property is willing to purchase the Property from the EDA in accordance with that certain Tax Increment Financing Agreement between the Developer and the City of Northfield (the “City”), dated October 1, 2019 (the “TIF Agreement”), providing for the financing for the proposed sale of the

Property and development thereof for the authorized project use, pursuant to the TIF Agreement; and

WHEREAS, the TIF Agreement is incorporated herein by reference; and

WHEREAS, a draft Purchase Agreement for conveyance of the Property for the project has been prepared in accordance with the TIF Agreement and is attached hereto as Exhibit B; and

WHEREAS, in accordance with the attached draft Purchase Agreement, the EDA and Buyer expressly understand and agree that the sale of the Property is contingent upon approval by the Board of Commissioners of the EDA; and

WHEREAS, if any transaction approval as provided in the Purchase Agreement is not obtained by the closing date stated in the Purchase Agreement, the Purchase Agreement shall then be null and void, without further obligation by either party; and

WHEREAS, Minnesota Statutes, Section 462.356 provides that no publicly owned interest in real property within a municipality shall be disposed of until after the planning agency has reviewed the proposed acquisition or disposition and reported in writing to the EDA its findings as to compliance with the municipal comprehensive plan; and

WHEREAS, the same statute further states, however, that the EDA may, by resolution adopted by two-thirds vote, dispense with the requirements of this subdivision when in its judgment it finds that the acquisition or disposal of real property has no relationship to the municipal comprehensive plan; and

WHEREAS, the proposed conveyance of the Property presented by the Developer meets the terms and conditions set forth by the EDA as its guide in determining if such proposals are in the best interest of the EDA district and the public.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Northfield Economic Development Authority that:

1. The Board of Commissioners hereby finds, determines, and declares that it is in the best interest of the EDA district and the people thereof and in furtherance of the general EDA plan to sell the Property to the Buyer for the project pursuant to the plans and specification for the project on the Property and the TIF Agreement.
2. The Board of Commissioners hereby finds that the proposed sale of the Property has no relationship to the Northfield Comprehensive Plan, and therefore review of the proposed sale by the Northfield Planning Commission is not required under Minnesota Statutes, Section 462.356, Subd. 2, and is hereby dispensed with as allowed by that statute.
3. The actions of the Executive Secretary of the EDA in causing public notice of the proposed sale and in describing the terms and conditions of such sale and project, which

have been available for inspection by the public at the office of the EDA from and after the publication of the hearing, are in all respects ratified and confirmed.

4. The Property is being sold for \$1.00 in accordance with the financing terms and conditions contained in the TIF Agreement.
5. The Board of Commissioners hereby approves the attached Purchase Agreement as to form and authorizes and directs the President and Treasurer to: (a) execute the Purchase Agreement substantially in the form hereby approved, allowing for any necessary minor or technical changes as approved by the City Attorney; (b) execute such other documents as are necessary to close on the sale of the Property by the EDA to the Buyer; and (c) require that the Buyer to record the quit claim deed executed by the EDA and any other requisite instruments of sale, as applicable, in the Office of the Rice County Recorder.

PASSED by the Board of Commissioners of the Economic Development Authority of the City of Northfield on this 24th day of October 2019.

ATTEST

President

Vice President

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot 3, Block 48, in the Original Town (now City) of Northfield, Rice County, Minnesota.

EXHIBIT B
PURCHASE AGREEMENT