

Commissioner _____ introduced the following resolution and moved for its adoption:

HRA RESOLUTION #09-06-005

RESOLUTION AUTHORIZING AN APPLICATION TO ANOKA COUNTY FOR THE ABATEMENT OF SPECIAL ASSESSMENTS LEVIED AGAINST THE PROPERTY IN RAMSEY TOWN CENTER THAT THE HRA IS ACQUIRING FROM MINNWEST BANK CENTRAL

WHEREAS, the Ramsey Housing and Redevelopment Authority (the "HRA") a Settlement Agreement between Minnwest Bank Central ("Minnwest"), the City of Ramsey (the "City") and the HRA dated March 19, 2009 (the "Settlement Agreement") and a related Purchase Agreement between Minnwest Bank Central and the HRA also dated March 19, 2009 (the "Purchase Agreement"); and

WHEREAS, the Purchase Agreement provides for the HRA's purchase of the real property legally described on Exhibit A of the Purchase Agreement (the "Property"), and the HRA anticipates closing on the purchase of the Property on or about June 26, 2009 and thereafter recording the deed from Minnwest to the HRA; and

WHEREAS, the City has levied various special assessments against the Property. The special assessments were certified for payment with the real estate taxes due and payable in 2008 but were not paid when due. The total amounts of the special assessment currently due and payable with respect to the various tax parcels that make up the Property, together with the interest and penalties that have accrued as a result of prior owners failure to pay the special assessments when due, are set forth on the attached Exhibit B (the "Special Assessments"). Absent an abatement of the Special Assessments, the HRA would have to pay the Special Assessments, in full, on or before the Anoka County Recorder could record the deed conveying the Property from Minnwest to the HRA and the County would thereafter remit the Special Assessment payment to the City. Absent an abatement of the Special Assessments, the HRA would have to borrow the amounts necessary to pay the Special Assessments from the City; and

WHEREAS, Minnesota Statutes Section 375.192 authorizes Anoka County to abate the Special Assessments as the board deems just and equitable upon written application of the owner and with the approval of the City; and

WHEREAS, the HRA and the City have determined that rather than have the City lend the funds necessary to pay the Special Assessments to the HRA, the HRA pay the Special Assessments to the County and the County remit the Special Assessments to the City, the HRA would apply for and the City would approve an abatement of the Special Assessments; and

WHEREAS it is the intention of the HRA and the City that the HRA will reimburse the City for the amount of the abated Special Assessments from the proceeds the City receives when it later sells the Property;

NOW THEREFORE, BE IT RESOLVED BY THE RAMSEY HOUSING AND REDEVELOPMENT AUTHORITY OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA:

1. That the Ramsey Housing and Redevelopment Authority hereby authorizes staff to prepare applications for the abatement of the Special Assessments described on Exhibit B and to submit those applications to appropriate representative of Anoka County for consideration pursuant to Minnesota Statutes Section 375.192 after Minnwest delivers to the HRA a deed conveying the Property described on Exhibit A from Minnwest to the HRA and before the HRA submits the deed to the Anoka County Recorder and the Anoka County Registrar of Titles for recording.
2. That the Special Assessments to be abated consist of those listed on the attached Exhibit B and include special assessment principal and applicable penalties as well as interest to the date of closing.
3. Staff is not authorized to file the abatement applications with Anoka County if the HRA does not acquire title to the Property from Minnwest.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey Housing and Redevelopment Authority Board of Commissioners this the 9th day of June, 2009.

Chairperson

ATTEST:

HRA Executive Director