

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

RESOLUTION #13-02-052

A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 14590 ARMSTRONG BLVD. NW, RAMSEY, MINNESOTA.

WHEREAS, the City Council has considered the purchase of the real property located at 14590 Armstrong Blvd. NW from M&W Holding Company, LLC which property is presently occupied by an off-sale liquor store known as Wiser Choice Liquors (the “Subject Property”); and

WHEREAS, the purpose of the acquisition of the Subject Property is transportation and right-of-way uses in conjunction with the City’s plans for a Hwy 10/Armstrong Blvd. Interchange (the “Project”); and

WHEREAS, the City is diligently working with Anoka County, the 2013 State legislature and Federal Highway transportation authorities to seek funding for the Project; and

WHEREAS, the Project is a City priority in furthering its responsibility of maintaining the health, safety and welfare of its residents and the general traveling public within the City; and

WHEREAS, Hwy 10 from Armstrong Blvd. to the City of Anoka has been the location of numerous recent pedestrian and automobile accidents resulting in death, personal injuries and personal property damages; and

WHEREAS, in the event the City is unable to purchase the Property by direct negotiation and funding for the Project is available, the City Council will consider condemnation to acquire the Subject Property; and

WHEREAS, when funding becomes available the Project will move forward and at that time the City would have the legal authority to acquire the Subject Property by condemnation; and

WHEREAS, condemnation will not of course be necessary if the City is able to acquire the Property by direct negotiation as approved by this Resolution; and

WHEREAS, the current City Council comprises three new members elected in November 2012; and

WHEREAS, the current City Council discussed the Project in closed session and open meetings on January 8th, 22nd, February 12th and 26, 2013; and

WHEREAS, at its meetings the Council has discussed...

- The public purpose of the Project;
- The Project’s ever present urgent need;
- Whether or not the Subject Property is necessary for the Project;
- Why the present timing for acquiring the Subject Property;
- The purchase terms of a proposed purchase agreement for the Subject Property including its purchase price and review of its two appraisals;
- Relocation issues associated with acquiring the Subject Property;

- Lease back terms in a proposed Purchase Agreement;
- Early termination issues of any lease back; and

WHEREAS, after consideration of all the above the current City Council has determined that it is not in the City's best interest to make the City's purchase of the Subject Property contingent on purchase by the Seller of a City owned parcel in the COR; and

WHEREAS, the current City Council acknowledges that it is under no obligation of any kind to purchase the Subject Property nor is it under any obligation to purchase the Subject Property upon any terms established by any previous City Council; and

WHEREAS, this current City Council has reviewed the Project and the acquisition of the Subject Property independent of any previous City Council's or Council member's influence, actions and discussions.

NOW, THEREFORE, be it resolved by this City Council of the City of Ramsey, Anoka County, State of Minnesota as follows:

1. That the City is authorized to purchase the real property located at 14590 Armstrong Blvd. NW for a purchase price of \$_____ and that the other purchase terms be pursuant to the terms of the Purchase Agreement reviewed by the City Council on February 26, 2013 and which Purchase Agreement is subject to final approval as to legal form by the City Attorney. The City's Mayor and City Administrator are authorized to execute those documents necessary to close on the Purchase Agreement described herein.

The motion for the adoption of the foregoing resolution was fully seconded by Councilmember _____, 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 City Council this _____ day of February, 2013.

By: _____
Mayor

ATTEST:

By: _____
City Administrator