

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

**CITY COUNCIL RESOLUTION #17-08-200**

**RESOLUTION AUTHORIZING THE CITY OF RAMSEY TO SELL 0.85 ACRES OF CITY OWNED LAND, AUTHORIZE A RIGHT-OF-ENTRY AGREEMENT, AUTHORIZE A RIGHT-OF-RE-ENTRY AGREEMENT, AUTHORIZE A COST SHARE ARRANGEMENT FOR YOLITE STREET, AUTHORIZE A PURCHASE AGREEMENT AMENDMENT, AND AUTHORIZE A \$100,000 EDA LOAN FOR THE PROPOSED STONE BROOK CHILDREN'S ACADEMY AND CHILDCARE CENTER**

**WHEREAS**, the City of Ramsey, herein referred to as the "City," owns various parcels throughout the City of Ramsey; and

**WHEREAS**, the City received and entered into a formal purchase agreement for the sale of the parcel legally described below ("the Property"), on March 15, 2017, with Michael and Kristen Johnson:

OUTLOT B, COR 1, COUNTY OF ANOKA, MINNESOTA

**WHEREAS**, the original County PID is 28-32-25-23-0010 and a 0.85 acre portion of the original PID will be platted into:

LOT 1, BLOCK 1, COR STONE BROOK ACADEMY, COUNTY OF ANOKA, MINNESOTA.

**WHEREAS**, the Property was declared by the City of Ramsey as surplus city-owned land and is no longer needed for current or future city functions, and is authorized for sale; and

**WHEREAS**, Michael and Kristen Johnson have requested the formal purchase agreement be amended, reassigning the agreement to MK Johnson Properties, LLC, a Minnesota Limited Liability Company; and,

**WHEREAS**, the formal purchase agreement includes a provision outlining a cost-share arrangement for the construction of the proposed 275' public road (Section #32). MK Johnson Properties, LLC will construct the proposed public road, and the City of Ramsey will provide a reimbursement of 80% back to MK Johnson, LLC, within 30 days, upon completion, which shall be determined, in writing, by the City Engineer, and shall be funded from the City's TIF District #14; and,

**WHEREAS**, the formal purchase agreement includes a provision requiring a separate right-of-re-entry agreement be recorded against the Property (Section #30) to ensure a roughly 9,100 square foot building is constructed by September 01, 2018; and,

**WHEREAS**, the construction of the proposed Stone Brook Children’s Academy will result in the need of MK Johnson Properties, LLC to access adjoining city-owned properties during construction. In order to allow for said access, a separate right-of-entry agreement must be authorized by the City of Ramsey; and,

**WHEREAS**, MK Johnson Properties, LLC has formally applied for a \$100,000 City of Ramsey EDA Loan, which has been reviewed by the City of Ramsey, and underwritten by CMDC Business Loans.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

- 1) That the City of Ramsey hereby declares the Property to be surplus City-owned land, and authorizes the property to be sold.
- 2) That the City of Ramsey hereby approves the sale of the Property to MK Johnson Properties, LLC for a total of \$121,852.50 for the development of a roughly 9,500 square foot Children’s Academy and Childcare Center.
- 3) That the City of Ramsey hereby approves the attached Purchase Agreement Amendment #1, with MK Johnson Properties, LLC, dated August 08, 2017.
- 3) That the City of Ramsey hereby authorizes and requires a Right-of-Re-Entry Agreement, with MK Johnson Properties, LLC, to be recorded against the Property at the closing of this land transaction.
- 4) That the City of Ramsey authorizes and requires a Right-of-Entry Agreement, with MK Johnson Properties, LLC, be approved before the closing of this land transaction.
- 5) That the City of Ramsey hereby approves and authorizes a \$100,000 EDA Loan for MK Johnson Properties, LLC, and shall require the attached loan documents (loan agreement, promissory note, guaranty, mortgage) to be executed before disbursement of loan proceeds.
- 6) That the City of Ramsey hereby authorizes the City Administrator and Mayor to sign any and all documents necessary to close on the sale of the Property, to close on the proposed EDA Loan, and execute any documents outlined in this Resolution, consistent with City Charter and State law requirements.

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

XXXXXXXXXX

and the following voted against the same:

XXXXXXXXXX

and the following abstained:

XXXXXXXXXX

and the following were absent:

XXXXXXXXXX

Whereupon said resolution was declared duly passed and adopted by the City of Ramsey this the XX<sup>th</sup> day of XXXXXXX, 2017.

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Mayor

**ATTEST:**

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City Clerk