

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

RESOLUTION #20-286

RESOLUTION APPROVING RELEASE OF RIGHT OF RE-ENTRY AGREEMENT

WHEREAS, the City of Ramsey (the “City”) sold the now platted Lots 1 and 2, Block 1, West Armstrong Addition (the “Property”) to PSD LLC (the “Developer”) filed in the office of the Anoka County Recorder on June 28, 2019 as Document Number 2230713.004; and

WHEREAS, the City and Developer entered into a Right of Re-Entry Agreement filed in the office of the Anoka County Recorder on July 28, 2019 as Document Number 2230713.002 to construct a minimum 12,000 SF commercial/retail building on the Property and to obtain a Certificate of Occupancy on or before January 26, 2021; and

WHEREAS, the Developer has constructed a 15,000 SF building shell, installed parking lot and curb and gutter (the “Improvements”) which have resulted in an increase of \$1,091,400 in tax assessed value with property taxes estimated to be \$41,713 annually beginning in 2022 but has not received a Certificate of Occupancy due to the lack of tenant buildout; and

WHEREAS, the Developer has constructed a \$335,000 Dynamic Display Billboard to assist in the marketing of the commercial retail building for tenants; and

WHEREAS, the Developer has requested to be released from the Right of Re-Entry Agreement based on the substantial completion of Improvements on the Property, the negative impacts of the Covid-19 Pandemic on commercial/real estate leasing environment and the investment shown to market the property to tenants; and

WHEREAS, the construction of the Improvements and investment in the Dynamic Display Billboard show that the developer did not buy the land, to hold for speculation, which is the primary purpose of a Right of Re-Entry Agreement.

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

- 1) That the City Council acknowledges that the Developer has constructed the Improvements to the Property increasing the Tax Assessed Value that satisfy the intent of the Right of Re-Entry Agreement
- 2) The City Council authorizes execution of the attached Release of Right of Re-Entry Agreement by the Mayor and City Administrator; subject to City Attorney review.

That the motion for the adoption of the forgoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor:

and the following voted against the same:

and the following abstained:

and the following were absent:

Existing Vacancy

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 8th day of December, 2020.

Mayor

ATTEST:

City Clerk

RELEASE OF RIGHT OF RE-ENTRY AGREEMENT

Date: December 8, 2020

The City of Ramsey, a Minnesota municipal corporation (the "City") hereby releases that certain real property which is legally described as follows:

LOTS 1 and 2, BLOCK 1, WEST ARMSTRONG ADDITION, ANOKA COUNTY, MINNESOTA

(the "Property") from the following:

1. That certain Right of Re-Entry Agreement by and between the City and PSD, LLC dated June 26, 2019 and filed June 28, 2019 as Document No. 2230713.002 in the office of the Anoka County Recorder.

THE CITY OF RAMSEY

By: _____
Its Mayor

By: _____
Its City Administrator

STATE OF MINNESOTA)
)ss.
COUNTY OF ANOKA)

The foregoing Release was acknowledged before me this _____ day of December 2020, by John LeTourneau, the Mayor and Kurtis G. Ulrich, the City Administrator, respectively, of the City of Ramsey, a Minnesota municipal corporation, on behalf of the City.

Notary Public

This instrument drafted by:
City of Ramsey
7550 Sunwood Dr. N.W.
Ramsey, MN 55303