

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0445R

RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN TAX FORFEITED PROPERTY IN LESTER PARK FROM THE STATE OF MINNESOTA THROUGH ST. LOUIS COUNTY.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to acquire the tax forfeited property described below in St. Louis County, Minnesota, from the state of Minnesota through St. Louis County, subject to a mutually acceptable agreement between the city and Diamond Willow, pursuant to which Diamond agrees to pay all the city's costs of acquisition from the state, including any fees and additional costs in acquiring said tax-forfeited property from the state, said acquisition payable from Fund 110-700-1420-5510.

Lots 1 through 6 and Lots 33 through 37, Block 64, Lester Park Fourth Division.

Approved:

Approved for presentation to council:

Department Director

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

ATTY JMC:blj 7/1/2009

STATEMENT OF PURPOSE: This resolution authorizes the purchase of tax-forfeited property which is located in Lester Park adjacent to the Lester Park Golf Course. This resolution is a companion resolution to Ordinance 09-037.

The property was originally tax forfeited property which was conveyed to the city at no cost to be used exclusively for park and recreational purposes. Because the city received a "limited fee title" to the property, it cannot change the use of the property to another use; nor can it sell the property to another party for a different use.

The developer, Diamond Willow, wants to acquire this property and other adjacent city-owned and privately-owned property in order to construct a residential care facility and a medical clinic. On December 11, 2007, the planning commission recommended a special use permit for a 10,000 square foot medical clinic (File No.07153) and a special use permit for a 20-person residential care facility (File No.07154). On February 11, 2008, the city council adopted the planning commission's recommendation pursuant to resolutions 08-0087 and 08-0093. The developer has requested that the city reconvey this property to the state so that the commissioner of revenue can reconvey it to the city at its appraised value. The city will subsequently convey this property to Diamond Willow, along with the other adjacent city-owned property, at their appraised values pursuant to the companion ordinance.