

Document No. 2004-006M

Request for MCDA Board of Commissioners Action
From the Department of Community Planning & Economic Development

Date: January 20, 2004

To: MCDA Board of Commissioners

Prepared by Judy Cedar, Project Coordinator, Phone 612-673-5025

Presenter in Committee: Judy Cedar, Project Coordinator

Approved by Chuck Lutz, Deputy CPED Director _____

Subject: Permanent Easement Conveyance and Public Hearing
Jordan Vacant Housing Parcel TF 408
2014 West Broadway

Temporary Construction Easements
Jordan Vacant Housing Parcels TF-408 and TF-448
2014 and 2018 West Broadway (see attached maps)

RECOMMENDATION: The Deputy CPED Director recommends that the attached resolution be adopted for the conveyance of an interest in the form of a permanent easement to Hennepin County of the above mentioned disposition parcel TF 408 and that he or another appropriate official be authorized to enter into Construction Permit Agreements with Hennepin County on behalf of the MCDA with the terms described herein.

Previous Directives: The MCDA acquired 2014 West Broadway on July 7, 1998 and acquired 2018 West Broadway on January 21, 1999.

Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget.

(If checked, go directly to Background/Supporting Information)

Action requires an appropriation increase to the Capital Budget

Action requires an appropriation increase to the Operating Budget

Action provides increased revenue for appropriation increase

Action requires use of contingency or reserves

Other financial impact (Explain):

Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact

Ward: 3

Neighborhood Notification: Letter issued to West Broadway Area Coalition and to Jordan Neighborhood Council in December, 2003.

City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe City.

Comprehensive Plan: Section 8.3

Zoning Code: N/A (Highway ROW)

Living Wage/Job Linkage: N/A

Other: N/A

Background/Supporting Information

Legal: Permanent Easement Description - A permanent easement for highway purposes over all that part of the following described tract: Lot 69 Block 19, Forest Heights, according to the duly recorded plat thereof, which lies westerly of the following described line and its northerly extension: Commencing at the southeast corner of said Lot 69; thence run westerly along the southerly line thereof on an assumed bearing of South 88 degrees 38 minutes 46 seconds West for a distance of 165.91 feet to the actual point of beginning of the line being described; thence North 2 degrees 41 minutes 29 seconds West for 39.00 feet more or less to the westerly line of said lot and said line there terminating.

Buyer: Hennepin County, Minnesota

Sale Price: \$500 - Permanent and Temporary Construction Easement, 2014 West Broadway

\$500 - Temporary Construction Easement, 2018 West Broadway

Property: 2014 West Broadway - Permanent Highway Easement
2014 and 2018 West Broadway - Temporary Construction Easement

Proposed Development: Hennepin County proposes to reconstruct and improve a segment of County State Aid Highway (C.S.A.H.) No. 81, (West Broadway), from west Minneapolis city limits to CSAH 66 (Golden Valley Road) in Minneapolis. This reconstruction segment includes highway land adjacent to Disposition Parcels TF 408 and TF 448. The roadway will be reconstructed to approximately the same width as the existing roadway section. Concrete curb & gutter and sidewalks will be reconstructed and new streetlights will be installed throughout the corridor. Work is scheduled to begin in the spring of 2004 and is expected to be completed in approximately two construction seasons.

Proposed Easement Parcels: The permanent highway easement at 2018 West Broadway is 52 square feet in size and will allow for the reconstruction of a uniform sidewalk

segment. The temporary construction easement at 2014 West Broadway is 12 square feet in size. The temporary construction easement at 2018 West Broadway is 41 square feet in size. The temporary construction easements terminate December 31, 2005, and will allow the County to enter upon the real estate to grade and excavate land for the purpose of constructing public infrastructure. The County will restore the land areas to as good or better condition than prior to the construction project.

Offering Procedure: The offer to purchase permanent easement and temporary construction easements was initiated by Hennepin County. The County will acquire the permanent easement by quit claim deed. The County will obtain the construction permit easements by legal agreement through December, 2005. The sales prices of these properties do reflect the full re-use values for the permanent easement and temporary construction easements.

The Parcels: Both parcels are included in a tract of land being studied at CPED for a TIF District. Neither the temporary nor the permanent easements to Hennepin County will adversely impact this study or future development opportunities. Both parcels are approximately 7,500 square feet in size with dimensions of approximately 50' X 169'.

No. 2004-2870M
RESOLUTION
of the
MINNEAPOLIS COMMUNITY DEVELOPMENT AGENCY

By

Authorizing Conveyance of a Permanent Easement
Vacant Housing Recycling Program
Disposition Parcel No. TF-408 & 448

WHEREAS, the Minneapolis Community Development Agency, hereinafter known as the Agency, has received a request for the conveyance of an interest in the form of a temporary and permanent easements to broaden Parcels TF-408 & 448, in the Jordan neighborhood, from Hennepin County, hereinafter known as the Redeveloper, the Parcels TF-408 & 448, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION

2014 W Broadway (TF-408)
Lot 69, Block 19, Forest Heights.

Being registered property as is evidenced by Certificate of Title No. 1021727.

2818 W. Broadway (TF-448)
Lot 70, Block 19, Forest Heights.

Being registered property as is evidenced by Certificate of Title No. 1042053.

WHEREAS, the Redeveloper has offered to pay the sum of \$500 (ea. parcel), for Parcels TF-408 & 448 to the Agency for the conveyance of the temporary and permanent easements, and the Redeveloper's proposals are in accordance with the applicable West Broadway Redevelopment Plan (the "Redevelopment Plan") and the Vacant Housing Recycling Program (the "Program"); and

WHEREAS, the Redeveloper has submitted to the Agency a statement of financial responsibility and qualifications; and

WHEREAS, the Agency has had the re-use values reviewed by its appraiser who states that the re-use value opinion prepared by Hennepin County is consistent with the accepted methods in aiding the Agency in determining re-use values for the Parcels; and

WHEREAS, pursuant to due notice thereof published in Finance and Commerce on January 9, 2004, a public hearing on the proposed conveyance was duly held on January 20, 2004, following the regularly scheduled Community Development

Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the re-use values for uses in accordance with the Redevelopment Plan and the Program, as amended, is hereby estimated to be the sum of \$500 (ea. parcel) for Parcels TF-408 & 448, and

BE IT FURTHER RESOLVED, that the acceptance of the offers and proposals are hereby determined to be in accordance with the Agency's approved disposition program and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and the Program; and

BE IT FURTHER RESOLVED, that the proposals be and the same are hereby accepted, subject to the execution of a conveyance of a temporary and permanent easement. Furthermore, that the Executive Director or other appropriate official of the Agency be and the same is hereby authorized to execute and deliver the temporary and permanent easements to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such easement shall be created until executed by the Executive Director or other appropriate official of the Agency; and

BE IT ALSO FURTHER RESOLVED, that the Chairman and Secretary, or any other two Commissioners of the Agency, are hereby authorized to execute and deliver the agreements or instruments to convey the easements to the Redeveloper in accordance with the provisions of the executed easement and upon payment to the Agency for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Chairman and Secretary, or any other two Commissioners of the Agency.