

City of Hastings

City Council Memorandum

To: Mayor Hicks & City Councilmembers
From: Chris Jenkins, Parks & Recreation Director
Date: November 27, 2013
Item: Charitable Land Donation – Intek Plastics, Inc.

Council Action Requested:

Approve resolution graciously accepting the donation of real property parcel 19-02700-78-011 from Intek Plastics, Inc.

Background Information:

The Parks & Recreation Department has been in conversations with Intek Plastics since June of this year with regard to the potential donation of this piece of property. The City is very interested in obtaining this parcel of land to include in our City Parks & Trail System, and has been working closely with our City Attorney to ensure each step in the process is handled accurately.

The parcel is located on East 10th Street, just north of the current Hudson Sprayer and Public Works offices. The parcel is 13.67 acres in size and currently has a City trail skirting most of its perimeter.

The City has completed a Phase 1 environmental study of the property, investigating any current or historical environmental concerns. The study did not identify any areas of concern with this property.

This parcel of land has many potential park development opportunities, or would be a fantastic open space area for the residents of Hastings to enjoy. The City remains very excited about this land donation and looks forward to exploring its potential.

Financial Impact:

The City has invested \$1,872.75 to complete the Phase 1 Environmental Study, estimated closing costs for this transaction are \$1,638.50. In addition to these costs, the City will assume the special assessments for street improvements constructed in 2013 in the amount of \$26,636.74. The assessment amount will be absorbed by the 2013 construction fund for the 10th Street project, just as other assessment to City-owned properties are handled.

Advisory Commission Discussion:

None

Council Committee Discussion:

None

Attachments:

**CITY OF HASTINGS
DAKOTA AND WASHINGTON COUNTIES, MINNESOTA**

RESOLUTION NO. _____

**RESOLUTION ACCEPTING DONATION OF LAND AND EXPRESSING GRATITUDE
TO INTEK PLASTICS, INC. AND THE CAMPBELL FAMILY**

WHEREAS, the City of Hastings is a home rule charter city which owns and maintains for the exclusive use of the public a municipal parks and trail system within the City of Hastings; and

WHEREAS, Intek Plastics, Inc., (the "Property Owner") is the owner of real property located within the City of Hastings; and

WHEREAS, the Campbell Family members are principals of Intek Plastics, Inc.; and

WHEREAS, the Property Owner is willing to donate to the City, as a charitable contribution, certain real property for use by the City in expanding the City's municipal parks and trail system; and

WHEREAS, the City of Hastings desires to express its gratitude on behalf of the City and the public to the Property Owner and the Campbell Family for their generous contribution of the real property for use as part of the City's municipal parks and trail system; and

WHEREAS, the City and the Property Owner desire to confirm their understanding as to the terms by which the Property Owner will donate the real property to the City and by which the City will satisfy certain obligations, all in furtherance of the contribution of the real property to the City.

NOW THEREFORE BE IT RESOLVED by the City Council as follows:

1. The City of Hastings accepts the donation of the real property described on the attached Exhibit A (the "Real Property") by the Property Owner.
2. The City acknowledges receipt of the Real Property as a charitable contribution by the Property Owner to the City. The City acknowledges it is a qualified governmental entity and shall own and maintain the donated Real Property for the exclusive use by the public as part of the City of Hastings municipal parks and trail system.
3. The City Administrator and Parks and Recreation Director, or either of them, are authorized to undertake all action reasonably necessary to perform the obligations of the City identified

in this Resolution, including but not limited to the following: executing all documents and issuing all disbursements necessary to complete transfer of the Real Property to the City upon the records of Dakota County and with the City's real estate interest insured by a local title company. The City shall pay all closing costs incurred by the City and the Property Owner and the City Attorney shall prepare, or shall direct the title company to prepare at the City's expense, all necessary closing documents of the City and the Property Owner. The City shall assume all pending, levied and certified special assessments against the Real Property and shall pay real estate taxes due and payable after the date of transfer.

- 4. The City Administrator is authorized and directed, upon the request of the Property Owner and receipt of a real estate appraisal, to execute on behalf of the City of Hastings copies of IRS Form 8283 acknowledging receipt of the Real Property, as needed by the Property Owner to report the donation to taxing authorities, provided the City shall have no obligation to establish the value of the contribution.
- 5. The City of Hastings, on behalf of its residents and the public, hereby expresses its sincere gratitude to the Property Owner and the Campbell Family for their generous donation to the City of Hastings for its municipal parks and trail system and the City, in accordance with its policies, shall post appropriate signage on the Real Property acknowledging the contribution by the Campbell Family and Intek Plastics, Inc.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS THIS 2ND DAY OF DECEMBER, 2013.

Ayes:

Nays:

Absent:

Paul J. Hicks, Mayor

(SEAL)

Julie A. Flaten
Assistant City Administrator/City Clerk

I hereby certify that the above is a true and correct copy of the Resolution presented to and adopted by the City of Hastings, Counties of Dakota and Washington, Minnesota, on the 2nd day of December, 2013, as disclosed by the records of the City of Hastings on file and of record in the office.

Julie A. Flaten
Assistant City Administrator/City Clerk

EXHIBIT A
Parcel Legal Description
Dakota County PID: 19-02700-78-011

That part of the Southwest Quarter of the Southeast Quarter, and of Government Lots 6 and 7, Section 27, Township 115, Range 17, Dakota County, Minnesota, lying northerly of 10th Street described as follows: Commencing at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence North 0° 10' 32" West, bearing assumed, along the west line of said Southwest Quarter of the Southeast Quarter and Government Lot 7, a distance of 1831.25 feet to the center line of 10th Street; thence North 89° 41' 43" East, along said center line, a distance of 33.98 feet; thence on a tangential curve, concave to the south, having a radius of 625.95 feet, a central angle of 34° 01' 36", a distance of 371.74 feet; thence South 56° 16' 41" East, along said center line, a distance of 765.39 feet to the point of beginning of the land to be described; thence North 56° 16' 41" West, along said center line, a distance of 689.25 feet; thence North 13° 19' 22" East a distance of 507.20 feet to the southerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 75° 26' 41" East, along said right of way line, a distance of 1448.12 feet; thence South 61° 32' 42" West a distance of 1075.12 feet to the point of beginning

And

All that portion of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's abandoned 100 foot wide right-of-way for its Hastings to Cologne Wye in Government Lots 6 and 7, Section 27, Township 115 North, Range 17 West, lying northerly of the centerline of 10th Street (formerly known as Minnesota State Highway No. 291); southerly of a line 40 feet southwesterly of, measured at right angles, and parallel with the centerline of said Chicago, Milwaukee, St. Paul and Pacific Railroad Company's main tract for its Bridge Switch to Newport line; and westerly of the East line of the West Half of said Government Lot 6.

Subject to easements and reservations of record.

Dakota County, MN



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification. Dakota County assumes no legal responsibility for the information contained in this data.