

ORDINANCE NO. 2020-13

ORDINANCE TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of real estate in the City of Fairmont, Martin County, Minnesota, more particularly described as follows:

That part of Government Lots Seven (7), Eight (8), Nine (9) and Ten (10) of Section Nineteen (19), Township One Hundred Two (102) North, Range Thirty (30) West, City of Fairmont, Martin County, Minnesota, described as follows:

Commencing at the west quarter corner of said Section Nineteen (19); thence on an assumed bearing of South 0 degrees 47 minutes 52 seconds West, along the West line of said Section, a distance of 419.29 feet; thence South 88 degrees 22 minutes East a distance of 346.00 feet to an iron monument, said iron monument being the point of beginning of the tract to be described; thence North 1 degree 38 minutes East a distance of 900.00 feet to an iron monument; thence South 88 degrees 22 minutes East a distance of 553.96 feet to an iron monument; thence North 59 degrees 29 minutes East a distance of 242.76 feet to an iron monument; thence South 46 degrees 40 minutes East a distance of 251.73 feet to an iron monument; thence North 89 degrees 52 minutes East a distance of 625.45 feet to an iron monument; thence South 1 degree 38 minutes West a distance of 450.12 feet to an iron monument; thence South 54 degrees 07 minutes East a distance of 400.92 feet to an iron monument; thence South 1 degree 38 minutes West a distance of 205.24 feet to an iron monument; thence North 88 degrees 22 minutes West a distance of 1,904.00 feet to the point of beginning, containing 35.00 acres, subject to easements now of record in said County and State.

(the "Property"); and,

WHEREAS, the Fairmont City Council has authorized the execution of a Purchase Agreement for the sale of the Property to Dick Gerhardt; and,

WHEREAS, the sale of the Property is part of a land exchange for the City's Dutch Creek water quality project; and,


WHEREAS, the Fairmont City Council has determined that it is in the best interest of the City to transfer the Property to Dick Gerhardt for \$1.00, contingent upon the purchase of other real estate from Dick Gerhardt.

NOW, THEREFORE, it is hereby ordained by the Fairmont City Council:

1. The Property shall be transferred from the City of Fairmont to Dick Gerhardt for \$1.00.
2. Said transfer shall be contingent upon the purchase of other real estate from Dick Gerhardt relating to the Dutch Creek water quality project, said land transfers to be performed simultaneously.
3. The costs of the sale of the Property shall be allocated as set forth in the purchase agreement.
4. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the Property.

PASSED, APPROVED AND ADOPTED, this 14th day of December 2020.

Motion by: Council Member Bruce Peters
Seconded by: Council Member Wayne Hasek
All in favor: Council Members Tom Hawkins, Bruce Peters, Ruth Cyphers and Wayne Hasek
Opposed: Council Member Randy Lubenow
Abstained: None
Absent: None



Deborah J. Foster, Mayor

ATTEST:



Patricia J. Monsen, City Clerk

1st Reading: November 23, 2020

2nd Reading: December 14, 2020