

City of Menahga
Information Memorandum 16-003
Resolution No. 2016-005

Subject: Resolution No. 16-005: Authorizing the Quit Claim Deed to St. Mary's Regional Health Center and Ratifying the Mayor and City Administrator's Signatures Dated May 17, 2016

Agenda of: June 13, 2016

Council action: Adopted _____

Summary statement:

Resolution No. 2016-005 is the final step in the approval of the Quit Claim to St. Mary's Regional Health Center. The resolution formally conveys the property and retroactively authorizes the exchange of the deeds to resolve the alleged boundary description issues.

Fiscal information:

Total amount of funds listed in this legislation: \$ 0 _____

This legislation (✓):

Has no fiscal impact Creates a positive impact in the amount of: \$ _____
 Creates a negative impact in the amount of: \$ _____

Funds are (✓):

Budgeted Line item(s): _____
 Not budgeted Affected line item(s): _____

Attachments:

- Resolution No. 2016-005
- Quit Claim Deed
- Letters from Attorney Jeff Pederson

Agenda Date:	June 13, 2016
Action:	Adopted
Vote:	Unanimous
Yes:	No:
Ahlf	
Henstorf	
Lawrey	
Rasmussen	
Foss	

CITY OF MENAHGA, MINNESOTA

Resolution No. 2016-005

A Resolution of the Menahga City Council Approving a Quit Claim Deed from the City of Menahga to St. Mary’s Regional Health Center

The City of Menahga, Minnesota ordains:

WHEREAS, the City of Menahga desires to convey property to St. Mary’s Regional Health Center; and

WHEREAS, the following legal description describes the property to be conveyed:

The North 50 feet; the South 100 feet of the West 330 feet of the North 150 feet; and the East 105 feet of the West 255 feet of the South 150 feet; all in Outlot 6 in Outlots to Menahga, Minnesota which is more specifically described as that part of Outlot 6 in Outlots to the Village of Menahga, Minnesota described as follows: Beginning at the Northeasterly most corner of said Outlot 6; thence Southwesterly along the Northwesterly line of said Outlot 6 a distance of 380 feet to the Northwesterly most corner of said Outlot 6; thence Southeasterly along the Southwesterly line of said Outlot 6 a distance of 150 feet; thence North 63 degrees 59 minutes 58 seconds East, parallel with the Northwesterly line of said Outlot 6 a distance of 150 feet; thence South 25 degrees 57 minutes 03 seconds East, parallel with the Southwesterly line of said Outlot 6 a distance of 150 feet, to the Southeasterly line of said Outlot 6; thence Northeasterly along the Southeasterly line of said Outlot 6 a distance of 105 feet; thence Northwesterly and parallel with the Southwesterly line of Outlot 6 a distance of 150 feet; thence Northeasterly and parallel with the Northwesterly line of said Outlot 6 a distance of 75 feet; thence Northwesterly and parallel with the Southwesterly line of said Outlot 6 a distance of 100 feet; thence Northeasterly and parallel with the Northwesterly line of said Outlot 6 a distance of 50 feet to the Northeasterly line of said Outlot 6; thence Northwesterly along the Northeasterly line of said Outlot 6 a distance of 50 feet to the point of beginning.

WHEREAS, the Mayor and City Administrator signed the Deed on May 17, 2016; and

WHEREAS, the Menahga City Council retroactively authorizes the exchange of the deeds to resolve the alleged boundary description issues.

NOW, THEREFORE BE IT resolved by the Menahga City Council that the City approves the Quit Claim Deed to St. Mary’s Regional Health Center and retroactive signatures.

Passed and approved this thirteenth day of June, 2016

Patrick Foss, Mayor

Janette M. Bower, MMC, Administrator

Top 3 inches reserved for recording data)

QUIT CLAIM DEED

Business Entity to Individual

DEED TAX DUE: \$1.65

DATE: May , 2016

FOR VALUABLE CONSIDERATION, **City of Menahga**, a public corporation under the laws of Minnesota ("Grantor"), hereby conveys and quitclaims to **St. Mary's Regional Health Center**, a non-profit corporation under the laws of Minnesota ("Grantee"), real property in **Wadena** County, Minnesota, legally described as follows:

See attached EXHIBIT "A" LEGAL DESCRIPTION.

Reserving and retaining that easement to the City of Menahga described in that EASEMENT dated November 30, 1981 and filed of record in the office of the Wadena County Recorder on December 8, 1989 in Book 13 of Msl. Page31

Check here if all or part of the described real property is Registered (Torrens)

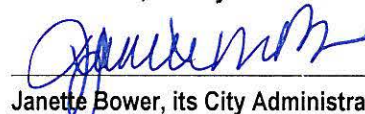
together with all hereditaments and appurtenances belonging thereto.

I am familiar with the property described in this deed and I certify that the status and number of wells on the described property have not changed since the last previously filed well disclosure certificate.

Grantors, City of Menahga by:



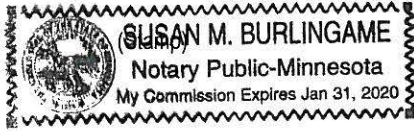
Patrick Foss, its Mayor



Janette Bower, its City Administrator

State of Minnesota, County of **Wadena**

This instrument was acknowledged before me on **May**, 2016, by **Patrick Foss, Mayor and Janette Bower, City Administrator**



Susan M. Burlingame

Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

Gregory D. Larson
Attorney at Law
P.O. Box 591
Park Rapids, MN 56470
218-237-5075

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

St. Mary's Regional Health Center
1027 Washington Avenue
Detroit Lakes, MN 56501

EXHIBIT "A"
LEGAL DESCRIPTION

The North 50 feet; the South 100 feet of the West 330 feet of the North 150 feet; and the East 105 feet of the West 255 feet of the South 150 feet; all in Outlot 6 in Outlots to Menahga, Minnesota which is more specifically described as that part of Outlot 6 in Outlots to the Village of Menahga, Minnesota described as follows: Beginning at the Northeasterly most corner of said Outlot 6; thence Southwesterly along the Northwesterly line of said Outlot 6 a distance of 380 feet to the Northwesterly most corner of said Outlot 6; thence Southeasterly along the Southwesterly line of said Outlot 6 a distance of 150 feet; thence North 63 degrees 59 minutes 58 seconds East, parallel with the Northwesterly line of said Outlot 6 a distance of 150 feet; thence South 25 degrees 57 minutes 03 seconds East, parallel with the Southwesterly line of said Outlot 6 a distance of 150 feet, to the Southeasterly line of said Outlot 6; thence Northeasterly along the Southeasterly line of said Outlot 6 a distance of 105 feet; thence Northwesterly and parallel with the Southwesterly line of Outlot 6 a distance of 150 feet; thence Northeasterly and parallel with the Northwesterly line of said Outlot 6 a distance of 75 feet; thence Northwesterly and parallel with the Southwesterly line of said Outlot 6 a distance of 100 feet; thence Northeasterly and parallel with the Northwesterly line of said Outlot 6 a distance of 50 feet to the Northeasterly line of said Outlot 6; thence Northwesterly along the Northeasterly line of said Outlot 6 a distance of 50 feet to the point of beginning.

WADENA COUNTY, MINNESOTA

JEFFREY D. PEDERSON
TIMOTHY J. PEDERSON*+

Pederson & Pederson, P.A.

OFFICE ALSO AT:
18 MAIN ST SE, MENAHGA
(218) 564-5565

ATTORNEYS AT LAW

24 COLFAX AVENUE SOUTHWEST • P.O. BOX 623 • WADENA, MN 56482
(218) 631-1228 • FAX (218) 631-1342
E-mail: hplaw@arvig.net

May 12, 2016

Ms. Janette Bower
Menahga City Administrator
City of Menahga
P. O. Box C
Menahga, MN 56464

In Re: City of Menahga/St. Mary's Regional Health

Dear Janette:

We have been working with Attorney Greg Larson in Park Rapids to clarify the legal description of the property being acquired by St. Mary's Regional Health Center.

The council has previously approved and authorized the exchange of deeds with St. Mary's.

I am enclosing herein a deed with attached legal description which accomplishes that clarification. The deed should be signed by you and the Mayor, dated, notarized and forwarded directly to Mr. Larson at his address shown on the second page of the deed.

Mr. Larson will deliver the deed to Hubbard County Abstract Company. They are holding a deed from St. Mary's to the City of Menahga for the property that we have retained.

I understand there is some urgency in this. If there are any questions at all please feel free to contact me.

Yours very truly,

PEDERSON & PEDERSON, P.A.



Jeffrey D. Pederson

JDP/srk

Enclosure(s)

JEFFREY D. PEDERSON
TIMOTHY J. PEDERSON*+

Pederson & Pederson, P.A.

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May 24, 2016

Ms. Janette Bower
Menahga City Administrator
City of Menahga
P. O. Box C
Menahga, MN 56464

In Re: City of Menahga/St. Mary's Regional Health Center

Dear Janette:

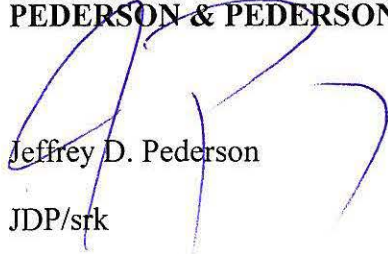
I apologize for my confusion regarding the exchange of deeds with St. Mary's Regional Health Center. As you and I discussed, Mr. Larson has at this time indicated a willingness to wait for the resolution authorizing the exchange. I understand you are going to prepare that resolution retroactively authorizing the exchange of the deeds to resolve the alleged boundary description issues.

The resolution should reference the legal description and I would suggest that you simply attach a copy of the Quit Claim Deed to the resolution indicating it as the document to be authorized.

If there are any questions please feel free to give me a call.

Yours very truly,

PEDERSON & PEDERSON, P.A.


Jeffrey D. Pederson

JDP/stk