

**CITY OF MARSHALL,
MINNESOTA**

ORDINANCE NO. 23-006

AN ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY

The Common Council of the City of Marshall do ordain:

Article I. The City of Marshall upholds the following as true and correct:

1. The City of Marshall (the “City”) is the owner of property located at the northeast corner of Main and Boyer in the City of Marshall, Lyon County, Minnesota (PID 27-60536-0)(the “Property”).
2. The City received an offer from CenterPointe Real Estate Group, LLC an Arizona limited liability company (the “Buyer”) to purchase the Property for \$55,000.00.
3. The City and the Buyer desire to enter into a real estate contract, pursuant to which the City will convey the Property to the Buyer.
4. Section 12.05 of the City Charter requires the sale of City-owned property to be by ordinance.

Article II. The City Council of the City of Marshall, Minnesota makes the following findings:

- A. An uncodified City ordinance is adopted pursuant to Section 12.05 of the City Charter to provide as follows:
 1. That the sale of the Property located at the northeast corner of Main and Boyer in the City of Marshall, Lyon County, Minnesota (PID 27-60536-0)(the “Property”) is in the best interest of the City.
 2. That the Council hereby approves the Real Estate Contract between the City and CenterPointe Real Estate Group, LLC in substantially the form presented to the Council, subject to modifications and addenda that do not alter the substance of the transaction and that are approved by the Mayor and the City Administrator.
 3. City officials, staff, and consultants are authorized to take all actions necessary to perform the City’s obligations under the Real Estate Contract as a whole, including, without limitation, execution of any documents to which the City is a party referenced in or attached to the Real Estate Contract, and any other documents necessary for the Property to be conveyed by the City to the Buyer, all as described in the Real Estate Contract.

4. In accordance with Section 12.05 of the City Charter, the proceeds of the sale of the Property shall be used as far as possible to retire any outstanding indebtedness incurred by the City in the purchase, construction, or improvement of the Property or other property used by the City for the same public purpose. If there is no such outstanding indebtedness, the Council may by resolution designate some other public use for the proceeds.

ARTICLE III.

Section 1. This Ordinance shall become effective immediately upon its passage and publication.

Adopted on this 24th day of January 2023 by a _____ vote of the City Council.

BY THE CITY COUNCIL

Robert Byrnes, Mayor

ATTEST:

Steven Anderson, City Clerk

Introduced on: January 10, 2023

Final passage on: January 24, 2023

Published in Marshall Independent: _____