

CITY OF MARSHALL, MINNESOTA

RESOLUTION NO. 23-070

RESOLUTION APPROVING A PURCHASE AGREEMENT FOR THE PURCHASE OF PROPERTY FROM SCHWAN'S SHARED SERVICES, LLC

WHEREAS, Schwan's Shared Services, LLC, a Delaware limited liability company (the "Seller") is the owner of certain real estate located in the City of Marshall, Lyon County, Minnesota, legally described as follows (final legal descriptions to be provided by surveyor obtained by Seller):

Parcel #1:

Lot One (1), Block Three (3), SCHWAN'S CORP 1 ADDITION to the City of Marshall, Lyon County, Minnesota,

Parcel #2:

Lot Two (2), Block Three (3), SCHWAN'S CORP 1 ADDITION to the City of Marshall, Lyon County, Minnesota,

Parcel #3:

A portion of Lot Three (3), Block Three (3), SCHWAN'S CORP 1 ADDITION to the City of Marshall, Lyon County, Minnesota, as depicted on the map attached as Exhibit A to the Purchase Agreement (as hereinafter defined)

(collectively, the "Real Property"); and

WHEREAS, the Seller agrees to sell to the City of Marshall, Minnesota (the "City" or "Buyer"), and the City agrees to purchase from the Seller the Real Property pursuant to the terms and conditions of a Real Estate Purchase Agreement (the "Purchase Agreement"), the form of which was presented to the City Council of the City on April 11, 2023, and was approved by motion carried by a unanimous vote of 6-0; and

WHEREAS, by this resolution, the City Council of the City desires to memorialize its prior approval of the Purchase Agreement by formal written expression.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Marshall, Minnesota:

1. That the Council hereby approves the Purchase Agreement 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.

2. City officials, staff, and consultants are authorized to take all actions necessary to perform the City's obligations under the Purchase Agreement as a whole, including, without limitation, execution of any documents to which the City is a party referenced in or attached to the Purchase Agreement, and any other documents necessary for the Real Property to be conveyed by the Seller to the City, as all described in the Purchase Agreement. The actions of the City officials, staff, and consultants in negotiating the purchase of the Real Property are ratified and confirmed in all aspects.

Adopted by the City Council of the City of Marshall, Minnesota this 14th day of November, 2023.

Mayor

ATTEST:

City Clerk