

CITY OF MARSHALL, MINNESOTA

RESOLUTION NO. 24-052

**RESOLUTION APPROVING THE EXECUTION OF A QUIT CLAIM CONVEYING CERTAIN
PROPERTY TO TA REAL ESTATE HOLDINGS, LLC**

BE IT RESOLVED by the Common Council for the City of Marshall, Minnesota (the “City”), that:

WHEREAS, the City of Marshall, Minnesota (the “City”) is a Charter City and Section 12.05 of the City Charter states “No real property of the City shall be disposed of except by ordinance”; and

WHEREAS, a Warranty Deed, on May 18, 1994, recorded on June 10, 1994 as Document No. 098467 was executed by Michael Weber and Darlene Weber, as husband and wife; Charles Fischer and Bernice Fischer, as husband and wife; Ernest Louwagie and Jane Louwagie, as husband and wife; Richard Vroman and Helen Vroman, as husband and wife; Shirley Schulz, single; and George Louwagie and Katherine Louwagie, as husband and wife (collectively, “Weber et. al.”) was granted to Roderick L. Thordson and Janice B. Thordson, as joint tenants (“Thordson”) for certain real property legally described on Exhibit A (the “Property”); and

WHEREAS, on October 25, 1994, Weber et. al. deeded, without proper ownership, the Property to the City of Marshall, as documented by Warranty Deed which is recorded as Document No. 101339, recorded on January 31, 1995; and

WHEREAS, because no ownership interest in the Property was legally conveyed to the City, because Weber et. al. did not own the Property at the time that they deeded it to the City, Section 12.05 of the City Charter does not apply and the Council may approve the conveyance of the Property by Quit Claim Deed to TA Real Estate Holdings, LLC, without following the ordinance process.

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

1. The City Council adopts, as factual findings, all the above recitals.
2. The City Council approves the execution of a Quit Claim Deed of the Property to TA Real Estate Holdings, LLC by the Mayor and City Clerk.

Approved by the City Council of the City of Marshall, Minnesota this 14th day of May 2024.

City of Marshall, Minnesota

Robert J. Byrnes, Mayor

ATTEST:

Steven Anderson, City Clerk

EXHIBIT A

Legal Description of the Property

All that part of the NE 1/4 SW 1/4 of Section 3, Township 111 N, Range 41, described as follows: Beginning at a point 33 feet south and 856 feet west of the northeast corner of said NE 1/4 SW 1/4 designated as south line of Trunk Highway No. 19; running thence South at right angles a distance of 92 feet; thence West at right angles a distance of 150 feet; thence North at right angles a distance of 75 feet; thence East at right angles a distance of 104 feet; thence North at right angles a distance of 17 feet; thence East at right angles a distance of 46 feet to the place of beginning. Subject to an easement on the West 10 feet thereof for public utilities or an alley.

Subject to existing easements of record,

And

Excepting therefrom the right of way of Trunk Highway No. 19 (a/k/a East College Drive) as now located and established.

which lies North of a line run parallel with and distant 57 feet South of line 1 described below:

Line 1: Beginning at a point on the west line of Section 3, Township 111 North, Range 41 West, which is 5.64 feet South of the West Quarter corner of said Section 3; thence Easterly on an azimuth of 90 degrees 54 minutes 10 seconds the direction is based on the Minnesota State Plane Coordinate System, South Zone, North American Datum of 1927, a distance of 1,426.34 feet; thence Easterly a distance of 177.38 feet along a tangential curve concave to the South having a radius of 68,754.94 feet and a central angle of 0 degrees 08 minutes 52 seconds; thence on an azimuth of 91 degrees 03 minutes 02 seconds, tangent to said curve, a distance of 3,794.40 feet to a point on the East line of said Section 3 which is 4.62 feet North of the East Quarter corner thereof.

All in the County of Lyon, State of Minnesota.