

RESOLUTION NO. 2023 – No. 2

**NEW PRAGUE ECONOMIC DEVELOPMENT AUTHORITY
RESOLUTION APPROVING SALE OF LAND AND PURCHASE
AND DEVELOPMENT AGREEMENT BETWEEN THE
AUTHORITY AND RURAL COMMUNICATIONS HOLDING COMPANY,
A MINNESOTA CORPORATION, DBA BEVCOMM**

WHEREAS, the City Council (the “Council”) of the City of New Prague (the "City") has previously established the New Prague Economic Development Authority (the "Authority") which administers economic development activities in the City; and

WHEREAS, the Authority owns certain property within the City legally described as set forth in Exhibit A (the “Property”); and

WHEREAS, the Authority has received a purchase offer and development proposal from Rural Communications Holding Company, a Minnesota corporation, dba Bevcomm, having its principal office at 123 West 7th Street, Blue Earth, MN 56013 (the "Developer") for use as office, shop and warehouse space to be maintained and constructed on the Property; and

WHEREAS, the Developer has proposed to acquire the Property from the Authority, and in connection with that proposal the Authority has caused to be prepared a Purchase and Development Agreement between the Authority and Developer (the “Contract”) set forth in Exhibit B and incorporated herein by reference; and

WHEREAS, the Authority has reviewed the Contract providing for the sale of the Property and the construction of improvements to be located on the Property totaling at least \$1,200,000.00, and has concluded that the proposed sale of and improvements to the Property are consistent with and promote the goals and objectives for which the Authority was established; and

WHEREAS, pursuant to the Contract, the Authority agrees to convey the Property described in the Contract to the Developer for \$184,498.38, subject to certain terms and conditions; and

WHEREAS, the Authority has on November 13, 2024, held a public hearing pursuant to Minnesota Statutes, Section 469.105 regarding conveyance of the Property to the Developer at which all interested persons were given an opportunity to be heard; and

WHEREAS, the Enabling Resolution of the Authority, as amended, prohibits the Authority from selling and conveying the Property without the prior approval of the Council; and

WHEREAS, the Authority respectfully requests that the Council approve the land sale contemplated herein by resolution; and

WHEREAS, the Authority finds that conveyance of the Property to the Developer is in the public interest because it will further the objectives of the Authority and City; and

WHEREAS, the Authority has reviewed the Contract and finds, subject to the approval of the Council, that the execution thereof by the Authority and performance of the Authority's obligations thereunder are in the best interest of the Authority, the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the New Prague Economic Development Authority (the "Commissioners") that the above-referenced recitals are incorporated herein to this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Commissioners that the Authority approves the conveyance of the Property to the Developer, subject to the approval of the Council and subject to satisfaction of all terms and conditions of the Contract, and authorizes and directs the President and Executive Director to execute the Contract, deed and related documents necessary to carry out such real estate transaction.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Commissioners that subject to the approval of the Council of the sale of the Property, the Authority hereby approves the Contract, including all necessary accompanying documents or agreements included therein, in substantially the form presented to the Authority on this date, subject to modifications that do not materially alter the Authority's rights and obligations under the Contract and that are approved by the Authority's President and Executive Director, which approvals shall be conclusively evidenced by execution of the Contract.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Commissioners that the proper Authority officials are authorized to execute the Contract and take any and all other steps necessary or convenient in order to carry out the Authority's obligations under the Contract.

NOW, THEREFORE, BE IT FINALLY RESOLVED by the Commissioners that Authority and City staff and consultants are hereby directed to take all appropriate action and to prepare any appropriate documents to facilitate the directives of the Authority as provided in this Resolution.

Adopted this 13th day of November, 2024.

Brent Quast, President

ATTEST:

Joshua M. Tetzlaff, Executive Director

EXHIBIT A

LEGAL DESCRIPTION

Lot 3, Block 2, NEW PRAGUE BUSINESS PARK 11TH ADDITION, Scott County, Minnesota.

EXHIBIT B

PURCHASE AND DEVELOPMENT AGREEMENT

[Insert Purchase and Development Agreement]