

BEMIDJI ECONOMIC DEVELOPMENT AUTHORITY

A G E N D A

July 6, 2010

7:00 P.M. (or soon thereafter)

1. CALL TO ORDER

2. AUTHORIZATION FOR NEGOTIATION AND EXECUTION OF VARIOUS
EASEMENT INTERESTS REGARDING SOUTH SHORE (SIEGERT)

3. ADJOURN

B.E.D.A. AGENDA ITEM



Meeting Date: July 6, 2010

Action Requested: Authorization for Negotiation and Execution of Various Easement Interests Regarding South Shore

Prepared By: Alan Felix, City Attorney

Reviewed By: John M. Chattin, Executive Director

The Council may recall that several months back it and the BEDA authorized City Staff to pursue negotiations with Rich Siegert furthering the proposed exchange of easements that allows for Mr. Siegert's hotel operations to improve, for parking purposes, a portion of the BEDA Park property where the new Nymore Boat Access is to be constructed. In return, the BEDA and/or City would receive back an easement for an equivalent amount of property immediately adjacent on the west side of the Park to be used for park purposes. These two easements are depicted on the attached diagram.

Additionally, to accomplish the storm water objectives for his proposed hotel development, the proposed plan is to allow Mr. Siegert to run and install (bury) a storm water outlet pipe across Park property (Boat Access) and across Outlot B (DNR Paul Bunyan State Trail) to the BEDA's storm water pond constructed on Outlot H. Again, this proposed easement corridor is shown on the attachment. The proposed storm water pipe requires an easement from the BEDA, and an easement from the DNR to Siegert.

Not shown on the diagram, but a component nonetheless of the entire proposed plan is the City's potential partial abandonment and release of the storm water easement purchased (and improvements actually installed) on the southeast corner of Siegert's Hampton Inn property. The City paid Siegert \$2,500 for that earlier easement.

If the BEDA and City are in agreement with the proposed easement exchange (park), the proposed storm water easement to Siegert, and any partial abandonment of the City's existing storm water utility easement, the entities should consider authorizing the City Manager (and BEDA Executive Director) to finalize the various easement proposals, including final negotiation of any reimbursement and/or compensation necessitated by the City's partial abandonment, if any, of its existing easement and the conveyance of the new easement to Siegert for the storm water pipe to Outlot H.

Recommendation:

Authorize City Manager/BEDA Executive Director to Accomplish Exchange of Park Related Easements, Execution of New Storm Water Easement, Partial Abandonment and Release of Existing Storm Water Easement as outlined above.