



Legislation Text

File #: RES 23-1279, **Version:** 1

Authorization to execute an agreement between the Saint Paul Housing and Redevelopment Authority and JB Vang Partners, Inc., a Minnesota corporation ("JB Vang") regarding land title registration at 694 and 680 Minnehaha Avenue East, Saint Paul, MN, District 4, Ward 7

WHEREAS, the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "HRA") is a public body corporate and politic established, existing, and operating under the laws of the State of Minnesota pursuant to the provisions of Minnesota Statutes, Section 469.001, et seq. (the "Act"); and

WHEREAS, the HRA is empowered by law, including the Act, to adopt and enforce this Resolution in pursuit of its mandate to engage in appropriate housing, development, and redevelopment projects; to remove or prevent the spread of conditions of blight or deterioration; to bring substandard buildings and improvements into compliance with public standards; to dispose of HRA-owned land for private development; and to improve the tax base and the financial stability of the community; and

WHEREAS, HRA owns approximately 4.8 acres of land that is improved with eight vacant and deteriorated buildings, and certain parking areas, all located at 694 and 680 Minnehaha Avenue East (the "Hamm's Site"), which is currently composed of both abstract land and registered (or Torrens) land; and

WHEREAS, the HRA issued a publicly announced request for proposals for the purchase and redevelopment of the Hamm's Site (the "RFP") on October 18, 2021, with a submission deadline of April 29, 2022, all in compliance with the HRA's disposition policy; and

WHEREAS, on January 11, 2023, by Resolution 23-71, the HRA Board accepted the proposal submitted by JB Vang to construct a 259-unit affordable housing and mixed-use development on the Hamm's Site (the "Project"); and

WHEREAS, to implement the Project, it is necessary to commence and complete a land title registration (or "Torrens") process on the abstract portion of the Hamm's Site to obtain a certificate of possessory title ("CPT") or a full certificate of title, as Torrens registration, to allow for certified registered land surveys or other required for the sale of portions of the redevelopment to homeowners and business owners; and

WHEREAS, due to the long lead time needed to obtain a CPT or Torrens registration, JB Vang desires to immediately commence the title registration work on the HRA's Hamm's Site, at JB Vang's cost, and to complete such process before it takes title to the land so that it can begin its development immediately upon taking title to the land; and

WHEREAS, since the HRA currently owns the Hamm's Site, JB Vang and the HRA desire to enter into an agreement to govern the circumstances under which JB Vang will be permitted to register the abstract portion of the Hamm's Site (the "Proposed Agreement"), which shall include the requirement that JB Vang incur all costs and expenses of such land registration; and

WHEREAS, JB Vang has requested that the Proposed Agreement contain a provision that the HRA will reimburse it for its actual out-of-pocket costs incurred in fully and completely registering (excluding any partial or incomplete work) the abstract land at the Hamm's Site if JB Vang is unable to acquire the Hamm's Site due to lack of financing or other reasons, with a maximum reimbursement cap not to exceed \$60,000; and

WHEREAS, the Proposed Agreement will contain a conditional and contingent obligation of the HRA to reimburse funds if the land title registration is completed but JB Vang does not take title, funds for such contingent obligation are anticipated to be paid from the Hamm's maintenance budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, that:

1. Subject to review and approval by the Saint Paul City Attorney's Office, the Board authorizes the Executive Director of the HRA to execute a Title Registration Agreement between the HRA and JB Vang that accomplishes the matters described above.
2. The HRA Executive Director, staff, and legal counsel for the HRA are directed and authorized to take all actions necessary to implement this Resolution and the HRA's Executive Director is authorized to execute any other documents and instruments in connection therewith or in connection with enforcing or complying with the Proposed Agreement .
3. This Resolution does not constitute a binding legal agreement; rather, the action taken herein shall not be effective until said documents are executed by the appropriate official(s) of the HRA.