

**Minutes of the Board of Education
Independent School District #2180
Special Board Meeting
Monday, October 31, 2022 7:00 AM
MACCRAY Board Room**

Members Present: Tate Mueller, Julie Alsum, Scott Ruitter, Debi Brandt, Lane Schwitters, Carmel Thein.
Others Present: Sherri Broderius, Superintendent, Kim Sandry, Business Manager; Jesse Westbrook,
Tech.

Chair Julie Alsum called the meeting to order at 7:00 am.

Pledge of Allegiance

Motion by Thein, second by Mueller, to approve the agenda as presented.

Motion carried by unanimous vote.

Business Items:

Motion by Schwitters, second by Ruitter, to approve the Resolution for Sale of Maynard Property as attached.

Roll Call Vote For: Alsum, Thein, Ruitter, Schwitters, Brandt, Mueller

Against: none

Resolution is duly passed and adopted.

Meetings and Workshops:

Regular Board Meeting, Monday, November 14, 6pm, MACCRAY Board Room

Truth in Taxation Presentation, Monday, December 12, 6pm, MACCRAY Board Room

Regular Board Meeting, Monday, December 12, following TNT, MACCRAY Board Room

Regular Board Meeting, Monday, January 9, 6pm, MACCRAY Board Room.

Adjournment of Meeting

Motion by Ruitter, second by Thein, for adjournment. Motion carried by unanimous vote. Meeting adjourned at 7:11 am.

Respectfully submitted,

Carmel Thein, Clerk

Kim Sandry, Business Manager

EXTRACT OF MINUTES OF MEETING
OF THE SCHOOL BOARD OF
INDEPENDENT SCHOOL DISTRICT NO. 2180
(MACCRAY PUBLIC SCHOOLS)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a special meeting of the School Board of Independent School District No. 2180 (MACCRAY Public Schools) was held in the School District on October 31, 2022, commencing at 7:00 o'clock a.m.

The following Board members were present: *Alsum, Thein, Ruitter, Schwitters, Brandt, Mueller* and the following were absent: *none*

Member Schwitters introduced the following resolution and moved its adoption:

RESOLUTION RESCINDING PRIOR RESOLUTION, AND RESOLUTION STATING THE INTENTION OF THE SCHOOL DISTRICT TO SELL CERTAIN PROPERTY IN THE CITY OF MAYNARD, MINNESOTA, AND TAKING OTHER ACTIONS WITH RESPECT THERETO

WHEREAS, Independent School District No. 2180 (MACCRAY Public Schools) (the "School District") is a public school corporation duly formed and organized pursuant to Minnesota law; and

WHEREAS, the School District owns various parcels of land and buildings in the City of Maynard, Minnesota (the "City"), including the Maynard MACCRAY West Elementary School (the "Building"); and

WHEREAS, on September 12, 2022, the School Board adopted a resolution (the "Resolution") stating the intention of the School District to sell the Building and the land upon which it is situated to the Greater Maynard Community Fund, a Minnesota non-profit corporation (the "Purchaser") for \$1.00 and other good and valuable consideration; and

WHEREAS, since the adoption of the Resolution, the School District administration and the Purchaser have had further discussions regarding the potential sale of certain other property owned by the School District that is also located in the City; and

WHEREAS, specifically, the Purchaser has expressed interest in purchasing certain parcels, identified as "Parcel #1" (the property upon which the Building is located), "Parcel #3," "Parcel #4," and "Parcel #5," all of which are depicted and legally described in the attached **Exhibit A** (the "Property"); and

WHEREAS, the School Board finds and determines that the Building is closed and no longer used as a school, and the Property (including the Building) no longer serves an educational purpose to the School District; therefore, the Property is deemed to be surplus property; and

WHEREAS, selling the Property will result in a savings to the School District in the form of avoidance of expense for the decommissioning and demolition of the Building as well as the costs of upkeep and maintenance of the Property; and

WHEREAS, the School District recently received an offer to purchase the Property from the Purchaser for \$1.00 and other good and valuable consideration.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 2180 as follows:

1. The Resolution is hereby rescinded, and the following resolution is adopted.
2. The administration of the School District is hereby directed, with the advice and assistance of the School District's legal counsel, to prepare a purchase agreement (the "Purchase Agreement") and such other documents and instruments to facilitate the sale of the Property (specifically Parcel #1 (including the Building), Parcel #3, Parcel #4 and Parcel # 5) to the Purchaser.
3. The Purchase Agreement shall contain such terms and conditions as are deemed reasonable and appropriate by the administration.
4. Subject to review and approval of the Purchase Agreement by the Superintendent and the School District's legal counsel, the Board Chair and Clerk are hereby authorized to execute and deliver the Purchase Agreement, as well as the deed and all other instruments and agreements necessary to complete the conveyance of the Property to the Purchaser.

The motion for the adoption of the foregoing resolution was duly seconded by Member ___Ruiter___ and upon vote being taken thereon, the following voted in favor thereof:

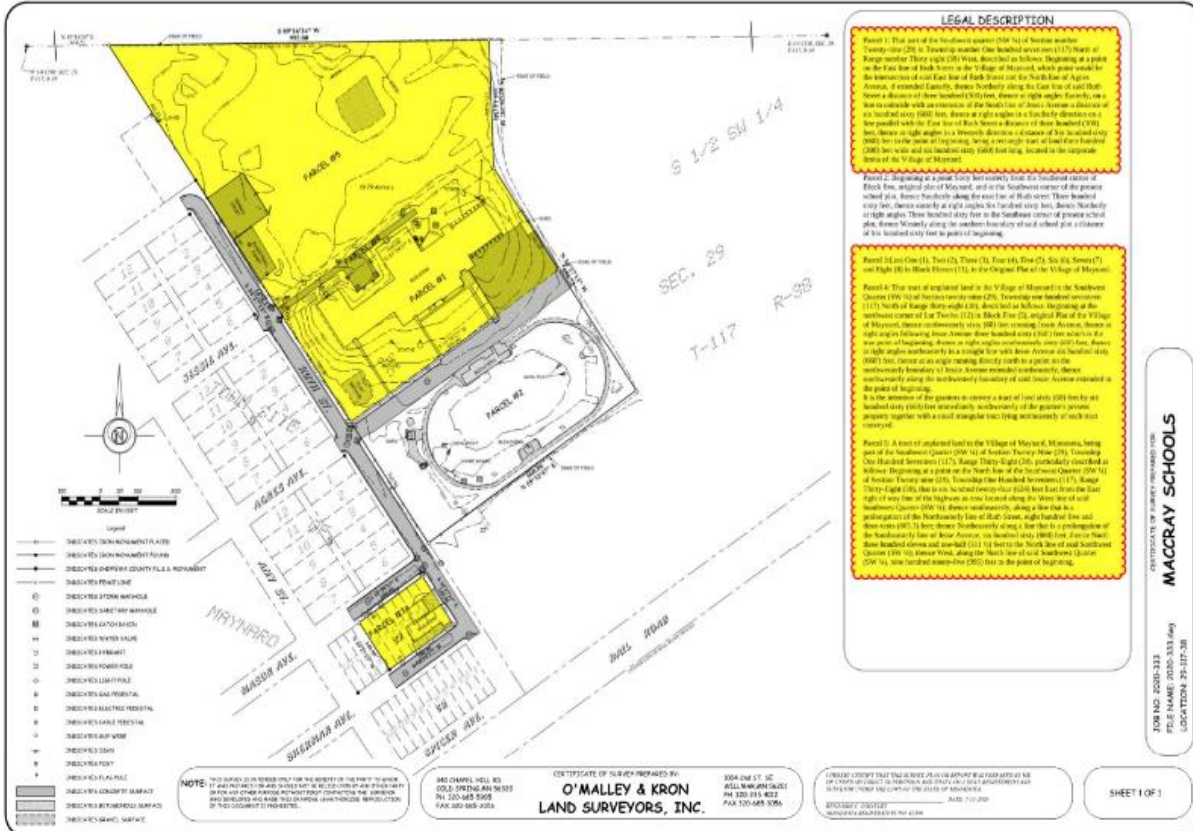
Mueller, Brandt, Schwitters, Ruiter, Thein, Alsum

and the following voted against: *none*

whereupon said resolution was declared duly *_passed_* and *_adopted_*

EXHIBIT A

DESCRIPTION AND DEPICTION OF THE PROPERTY



LEGAL DESCRIPTION

Parcel 1: The east of the Southeast corner (SW 1/4) of Section number Twenty-nine (29) in Township number One hundred seven and (117) Range of Range number Thirty-eight (38) West, described as follows: Beginning at a point on the East line of Ruth Street in the Village of Maywood, which point would be the intersection of said East line of Ruth Street and the North line of Agnes Avenue, if extended Eastward, thence Northwesterly along the East line of said Ruth Street a distance of three hundred (300) feet, thence at right angles Eastward, one (1) foot to coincide with an extension of the North line of Agnes Avenue a distance of one hundred sixty (160) feet, thence at right angles in a Southerly direction on a line parallel with the East line of Ruth Street a distance of three hundred (300) feet, thence at right angles in a Westerly direction a distance of five hundred (500) feet to the center of a utility pole, thence a straight line of one hundred (100) feet to the center of another utility pole, thence at right angles, located in the corporate limits of the Village of Maywood.

Parcel 2: Beginning at a point Sixty feet Westward from the Southeast corner of Block One, original plat of Maywood, and in the Southeast corner of the present school site, thence Northwesterly along the east line of Ruth Street Three hundred sixty feet, thence Northwesterly at right angles to the East line of Ruth Street, thence Northwesterly at right angles Three hundred sixty feet to the Southeast corner of present school site, thence Westerly along the southern boundary of said school site a distance of five hundred (500) feet to the point of beginning.

Parcel 3: Lot One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8) in Block Three (3), in the Original Plat of the Village of Maywood.

Parcel 4: The east of a straight line in the Village of Maywood in the Southwest Quarter (SW 1/4) of Section number twenty-nine (29), Township one hundred seven and (117) North of Range thirty-eight (38) West, described as follows: Beginning at the southeast corner of Lot Twelve (12) in Block Five (5), original Plat of the Village of Maywood, thence easterly along the East line of Ruth Street, thence at right angles following the line between three hundred sixty (360) feet to the west corner of beginning, thence at right angles easterly, one hundred (100) feet, thence at right angles southerly to a straight line with Ruth Street six hundred (600) feet, thence at an angle remaining directly north to a point on the westerly boundary of Block One hundred and twenty-five (125), thence Northwesterly along the westerly boundary of said Block One hundred and twenty-five (125) to the point of beginning.

In the extension of the agreement to convey a tract of land with 200 feet by one hundred (100) feet immediately westerly of the greater portion of the property together with a small triangular tract adjoining westerly to such tract.

Parcel 5: A tract of uncolored land in the Village of Maywood, Missouri, being part of the Southwest Quarter (SW 1/4) of Section Twenty-Nine (29), Township One Hundred Seven (117), Range Thirty-Eight (38) West, particularly described as follows: Beginning at a point on the North line of the Southwest Quarter (SW 1/4) of Section Twenty-nine (29), Township One Hundred Seven (117), Range Thirty-Eight (38) West, thence Northwesterly along the East line of the Highway on a line located along the West line of said Southwest Quarter (SW 1/4), thence Northwesterly, along a line that is a prolongation of the Northwesterly line of Ruth Street, eight hundred (800) feet, thence at right angles Northwesterly along a line that is a prolongation of the Northwesterly line of Ruth Street, one hundred (100) feet, thence Northwesterly along a line that is a prolongation of the Northwesterly line of Ruth Street, eight hundred (800) feet, thence at right angles Northwesterly along a line that is a prolongation of the Northwesterly line of Ruth Street, one hundred (100) feet, thence at right angles Northwesterly along a line that is a prolongation of the Northwesterly line of Ruth Street, eight hundred (800) feet to the point of beginning.

CERTIFICATE OF SURVEY PREPARED FOR:
MACCRAY SCHOOLS
 JOB NO: 2020-333
 FILE NAME: 2020-333.dwg
 LOCATION: 29-38-B

SHEET 1 OF 1

NOTE: THIS SURVEY IS IN EXCESS ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS MADE AND IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR THE CONSTRUCTION OF ANY STRUCTURE OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR WHO MADE THIS INSTRUMENT. ANY UNAUTHORIZED REPRODUCTION OF THIS INSTRUMENT IS PROHIBITED.

888 O'MALLEY, WELLS RD
 COLE, SPRING ARK 66303
 PH: 320-648-5008
 FAX: 320-648-2024

CERTIFICATE OF SURVEY PREPARED BY
O'MALLEY & KRON
 LAND SURVEYORS, INC.

3024 ONE 27TH ST
 WELLS, MISSOURI 64618
 PH: 320-333-8222
 FAX: 320-648-3096

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF MISSOURI.
 DATE: 7/1/2020
 SIGNATURE: [Signature]