

Member Lofald introduced the following Resolution and moved for its adoption:

RESOLUTION APPROVING CONVEYANCE TO CITY OF DULUTH

WHEREAS, Independent School District No. 709, Duluth ("District") previously owned a property on E. 7th Street in Duluth, Minnesota, where the Franklin Elementary School was located (the "Property");

WHEREAS, following the closure of Franklin Elementary School, the District conveyed the Property to the City of Duluth ("City") in two separate conveyances in the 1970s;

WHEREAS, the City has since operated a park on the Property, presently known as the Hillside Sport Court Park;

WHEREAS, the City recently discovered that the two prior deeds from the District to the City contained a minor omission and inadvertently failed to include a small portion of the Property legally described as Lot 65, East Seventh Street, DULUTH PROPER, FIRST DIVISION (the "Retained Parcel"), resulting in the District retaining record title to that parcel;

WHEREAS, the Retained Parcel is shown in red in the attached Exhibit A;

WHEREAS, the City has requested that, in order to correct this minor omission, the District convey the Retained Parcel to the City;

WHEREAS, although the Retained Parcel was omitted from the legal descriptions in the prior conveyances, the District makes no representation or warranty regarding the nature, extent, validity, or marketability of its interest, if any, in the Retained Parcel and intends to convey only whatever right, title, and interest it may possess by quit claim deed;

WHEREAS, the Retained Parcel has functioned as part of City park property for decades and provides no independent utility to the District;

WHEREAS, the Retained Parcel is no longer needed for the District's educational needs and it is in the District's best interest to clear up this title question;

WHEREAS, the Retained Parcel is part of the City's existing Hillside Sport Court Park and will continue to be used for public recreational purposes.

WHEREAS, Minnesota Statutes Section 465.035 states that "[a]ny . . . public corporation may lease or convey its lands for a nominal consideration, without consideration or for such consideration as may be agreed upon to . . . any governmental subdivision . . . for public use when authorized by its governing body."

NOW, THEREFORE BE IT RESOLVED by the School Board of Independent School District No. 709, Duluth as follows:

1. The School Board hereby authorizes and approves the conveyance of the Retained Parcel via quit claim deed in the form attached hereto as Exhibit B for the nominal sum of \$1.00. The Board Chair and Board Clerk are authorized to sign the deed. The City will be responsible for all costs of recording the deed.
2. The Superintendent or his designee is hereby authorized to take any actions necessary to complete the conveyance described in the Agreement, including but not limited to correction of typographical, scrivener's, legal description, recording, or other non-substantive errors.

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

The following voted against same: 0

KED

Kelly Durick Eder (Aug 24, 2026 08:39:21 CDT)

School Board Chair

ATTEST:

Shahntesell

School Board Clerk

Exhibit A

Depiction of Retained Parcel

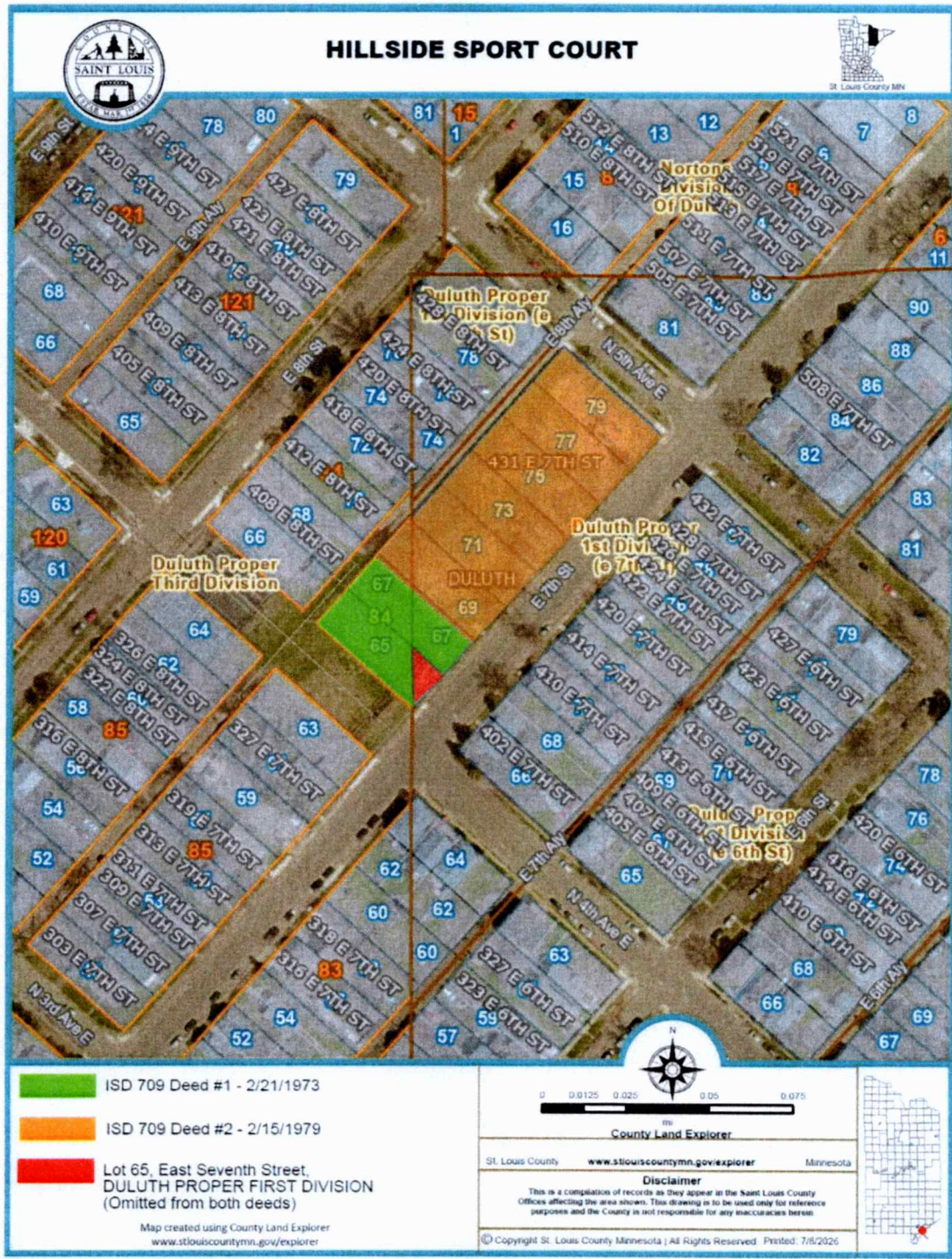


Exhibit B

Deed

(Top 3 inches reserved for recording data)

QUIT CLAIM DEED

Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks

Form 10.3.5 (2013)

eCRV number: n/a

DEED TAX DUE: \$ 1.65

DATE: _____

FOR VALUABLE CONSIDERATION, Independent School District No. 709, a Minnesota public corporation and political subdivision ("Grantor"), hereby conveys and quitclaims to the City of Duluth, Minnesota, a municipal corporation and political subdivision under the laws of Minnesota ("Grantee"), real property in St. Louis County, Minnesota, legally described as follows:

Lot 65, EAST SEVENTH STREET, DULUTH PROPER, FIRST DIVISION

together with all the hereditaments and appurtenances belonging thereto.

Check here if all or part of the described real property is Registered (Torrens) _____

Consideration for this transaction is less than \$3,000.

[signature page follows]

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Independent School District No. 709

By: Kelly Durick Eder
(Aug 24, 2026 08:39:21 CDT)

Name: Kelly Durick Eder
Its: School Board Chair

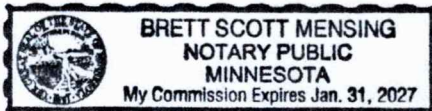
By: Sarah Mikesell

Name: Sarah Mikesell
Its: School Board Clerk

STATE OF MINNESOTA)
) ss
COUNTY OF ST. LOUIS)

This instrument was acknowledged before me this 24 day of August, 2026, by Kelly Durick Eder, as School Board Chair, and Sarah Mikesell, as School Board Clerk, on behalf of Independent School District No. 709, a Minnesota public corporation and political subdivision.

(Seal, if any)



Brett Scott Mensing
(signature of notarial officer)

Title (and Rank): Notary Public

My commission expires: Jan 31, 2027
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Squires, Waldspurger & Mace, P.A.
333 South Seventh Street, Suite 2800
Minneapolis, MN 55402

TAX STATEMENTS FOR THE REAL PROPERTY
DESCRIBED IN THIS INSTRUMENT SHOULD BE
SENT TO:

(insert name and address of Grantee to whom tax statements should be sent)

City of Duluth
411 W. First Street, Room 120
Duluth, MN 55802

Resolution Approving Conveyance to City of Duluth

Final Audit Report

2026-08-24

Created:	2026-08-20
By:	Brett Mensing (brett.mensing@isd709.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAL3tN6iD3OzNuCA1VPI_-ieJrD1H1fRAR

"Resolution Approving Conveyance to City of Duluth" History

-  Document created by Brett Mensing (brett.mensing@isd709.org)
2026-08-20 - 6:52:18 PM GMT
-  Document emailed to kelly.durickeder@isd709.org for signature
2026-08-20 - 6:52:53 PM GMT
-  Email viewed by kelly.durickeder@isd709.org
2026-08-24 - 1:38:35 PM GMT
-  Signer kelly.durickeder@isd709.org entered name at signing as Kelly Durick Eder
2026-08-24 - 1:39:19 PM GMT
-  Document e-signed by Kelly Durick Eder (kelly.durickeder@isd709.org)
Signature Date: 2026-08-24 - 1:39:21 PM GMT - Time Source: server - Signature Appearance Selected: MOBILE_DRAW
-  Agreement completed.
2026-08-24 - 1:39:21 PM GMT