

Joel:

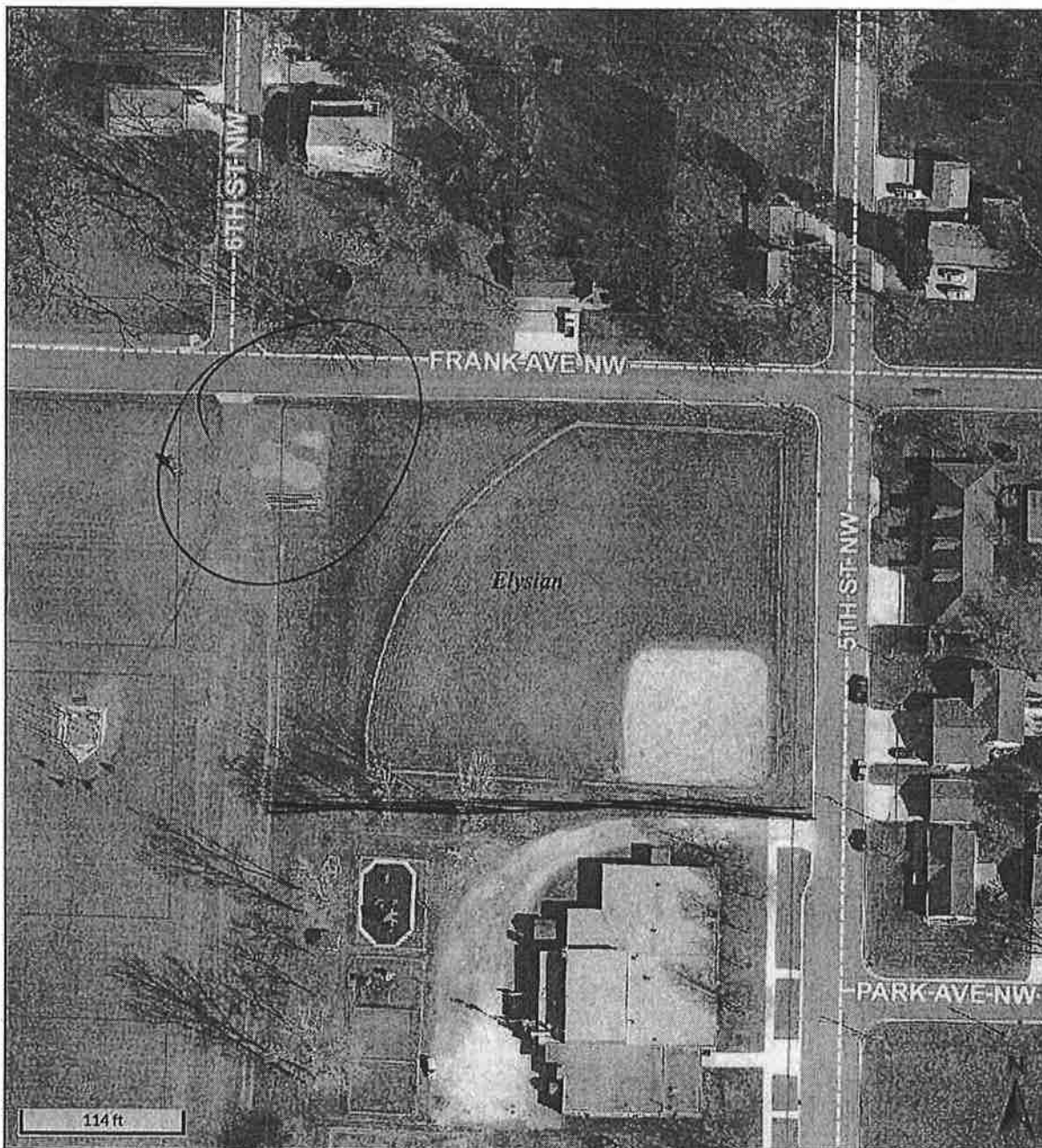
I've taken some more time and reviewed this matter and a couple of things have come to mind.

1. On the Ballfield. I know the School indicated it would agree to a Joint Powers Agreement/Cooperative Agreement on this, and the City is prepared to go that route if need be, however, in thinking this over I do believe the best thing for all involved is for an outright conveyance of it to the City via Deed. The primary reasons being: 1) for liability....if someone gets hurt with it being a Joint Powers venture the City and the District both have liability. In going with a JPA the City would need to be named as an additional insured on the District's policy. By conveying it outright to the City it becomes the City's outright liability. 2) in looking at Beacon it looks like the City has its parking lot for Sunset Park already on a part of the parcel. I have attached a screenshot from Beacon and in the Northwest Corner of the Ballfield property you can see that the City's parking lot encroaches over 30 feet into the ballfield property. 3) It simply makes good sense to convey it to the City now and wrap up these issues along with insurance and liability issues at this time. I'd like to offer that the City would pay for the survey costs, legal costs, and recording costs for conveyance. I've marked on the attachment where I would think the natural line would be. Will the District agree to an outright sale/conveyance of the ballfield to the City for a minimum sum; \$10?

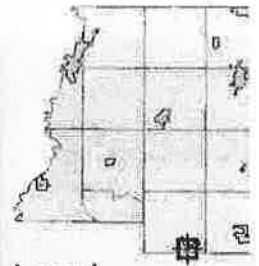
2. On the Tennis Courts. This poses some access challenges as well. We could either do a Joint Powers Agreement for the Tennis Courts or an outright conveyance. On the attachment (page 2), I notice that part of it overlaps into DNR property. The City will clear this up with the DNR. I am wondering if the District would consider an outright conveyance of the tennis courts to the City with an access easement or if the District would like to stick with a Joint Powers Agreement on this. The City would need access in the form of an easement from 5th street to the tennis courts as indicated on the attachment, page 2. The City would concrete that access and it would essentially consist of a sidewalk running from 5th Street to the Tennis Courts. Would this be an issue for the District. Again, in similar fashion to the Ballfield, if the District would agree to convey the tennis courts outright to the City the City would pay all survey costs, recording costs, transfer costs, legal costs, along with any costs with the Easement.

Thoughts on these points?

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Overview



Legend

Roads

 City Limits

 Parcels

-Aerial Photo taken in April 2021

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Beacon™ Le Sueur County, MN



Overview



Legend

- Roads
- City Limits
- Parcels

possible
concrete
sidewalk

-Aerial Photo taken in April 2021

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Encroachment on DNR Land