

RESOLUTION 16D-17

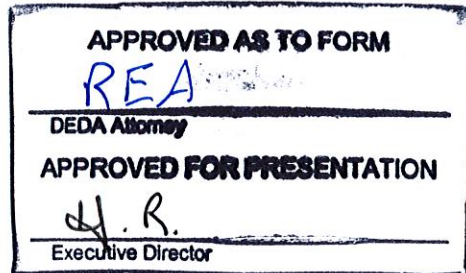
**RESOLUTION ACCEPTING CONVEYANCE OF 2ND AVENUE EAST BUS SHELTER
FROM DTA FOR NORSHOR THEATRE DEVELOPMENT**

RESOLVED, by the Duluth Economic Development Authority ("DEDA") that the proper DEDA officials are hereby authorized to accept conveyance of all right, title and interest in that certain bus shelter structure located in the 2nd Avenue East right-of-way immediately adjacent to the west wall of the structure located on Tract B, RLS 132, St. Louis County, Minnesota from the Duluth Transit Authority, an authority created under the Laws of Minnesota, 1969, Chapter 720, as provided for in that Bill of Sale attached hereto as Exhibit A.

Approved by the Duluth Economic Development Authority this 27th day of April, 2016.

ATTEST:

Executive Director



STATEMENT OF PURPOSE: The purpose of this resolution is to accept conveyance of the unused bus shelter adjacent to the NorShor Theatre on 2nd Avenue East from the DTA so that it can be conveyed to NorShor Theatre LLC as an element of the NorShor Theatre Project. The structure will be incorporated into the theater building to accommodate behind-stage movements of actors, other staff, scenery and other theater equipment.

Exhibit A

BILL OF SALE

April 11, 2016

For One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Duluth Transit Authority, an authority created under the Laws of Minnesota, 1969, Chapter 720 ("DTA"), hereby sells and conveys to the Duluth Economic Development Authority, an economic development authority under Minnesota Statutes (1989) chapter 469 ("DEDA"), all right, title and interest in that certain bus shelter structure located in the 2nd Avenue East right-of-way immediately adjacent to the west wall of the structure located on Tract B, RLS 132, St. Louis County, Minnesota. DEDA understands that said bus shelter is being sold in its present condition "as is" and "where is" and that DTA disclaims any implied warranty of condition or function, or any responsibility thereof.

DULUTH TRANSIT AUTHORITY, an authority created under
The Laws of Minnesota, 1969, Chapter 720

By:



Dennis Jensen
Its General Manager



**DULUTH TRANSIT AUTHORITY
MARCH 2016 - RESOLUTION NO. 115**

Concerning the designation and transfer of the 2nd Avenue East Bus Shelter to the Duluth Economic Development Authority (DEDA) as surplus property;

WHEREAS, in the early 1980's the Duluth Transit Authority (DTA) was granted a Concurrent Use Permit by the City of Duluth to construct a bus shelter above Superior Street on 2nd Avenue East, and


WHEREAS, this bus shelter has exceeded its useful life and is no longer used by the DTA, and

WHEREAS, the City of Duluth has requested that the DTA transfer ownership to DEDA.

NOW THEREFORE BE IT RESOLVED that the DTA Board of Directors hereby transfers ownership of the 2nd Avenue East surplus property and grants all interest to DEDA, effective April 1, 2016.

PASSED AND ADOPTED THIS 30TH DAY OF MARCH 2016 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

ADOPTED:



John Brostrom
DTA Board President