

RESOLUTION 16D-37

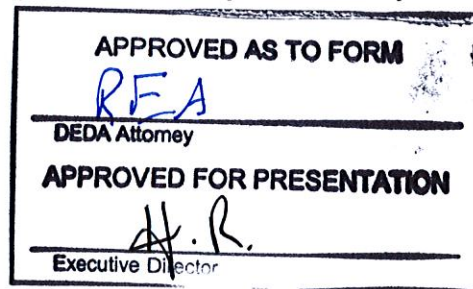
**RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE AGREEMENT
WITH THE CITY OF DULUTH FOR DEMOLITION SERVICES
IN CERTAIN WESTERN NEIGHBORHOODS ADDING PROPERTY 5907 GRAND
AVENUE**

RESOLVED, by the Duluth Economic Development Authority (DEDA) that the proper DEDA officials are hereby authorized to enter into the second amendment to the Property Demolition Agreement (DEDA Contract No. 15 0865 798), substantially in the form of that attached hereto (DEDA Contract No.15 0865 798²) with the City of Duluth (the "City") amending attached Exhibit A to add a structure at 5907 Grand Avenue with no change in the amount payable to the City.

Approved by the Duluth Economic Development Authority this 5th day of October, 2016.

ATTEST:

Executive Director



STATEMENT OF PURPOSE: The purpose of this Resolution is to amend the Property Demolition Agreement between DEDA and the City to revise the list of properties upon which buildings are to be demolished. One property, 5907 Grand Avenue, which was recently acquired by DEDA has been condemned by city building officials who also ordered its demolition as soon as possible, was added to the list. The amendment also provides for DEDA's Executive Director and the City's Chief Administrative Officer to revise the list of properties upon which buildings are to be demolished upon mutual agreement to include the 5907 Grand Avenue building.

**SECOND AMENDMENT TO
PROPERTY DEMOLITION AGREEMENT**

THIS SECOND AMENDMENT TO AGREEMENT is entered into this _____ day of _____, 2016, by and between the Duluth Economic Development Authority, an economic development authority under Minnesota Statutes, Chapter 469 (DEDA) and the City of Duluth, Minnesota, a municipal corporation under the laws of the State of Minnesota (City).

WHEREAS, on December 2, 2015, DEDA and City entered into a Property Demolition Agreement bearing DEDA Contract No. 15 0865 798 pursuant to which DEDA agreed to fund the demolition of certain structures in the City, which agreement was amended by the First Amendment thereto dated April 6, 2016, which agreement and First Amendment are hereinafter collectively referred to as the "Agreement"; and

WHEREAS, the parties are desirous of amending the Agreement as hereinafter provided for.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties here to hereby agree as follows:

1. That Exhibit A attached to the Agreement is hereby amended by the addition of the structure on the property located at 5907 Grand Avenue.
2. That in all other respects, the Agreement, together with all of its terms, covenants

and conditions, is hereby confirmed in its entirety.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and date first above.

DULUTH ECONOMIC DEVELOPMENT
AUTHORITY, an economic
Development Authority under Minnesota
Statutes (1989) Chapter 469

CITY OF DULUTH, a Minnesota
Municipal Corporation

By: _____
Its President

By: _____
Its Mayor

By: _____
Its Secretary

Attest:

City Clerk

Approved:

Assistant City Attorney

Countersigned:

City Auditor

EXHIBIT A

5907 Grand Avenue
5702 West 8th Street
6116 Raleigh Street
5803 Cody Street
3015 Vernon Street
5526 Albion Street
1-131st Avenue West
603 North 23rd Avenue West
2111 West 4th Street
417 North 21st Avenue West
429 North 63rd Avenue West