

Resolution 2017-108

A RESOLUTION TO DONATE SURPLUS REAL PROPERTY GENERALLY LOCATED AT 108 E. MAIN STREET AND ASSIGN THE CURRENT LEASE ON THE PROPERTY TO THE RAPID CITY ECONOMIC DEVELOPMENT FOUNDATION.

WHEREAS, on October 16, 2017, the City of Rapid City declared certain real property, described more fully below, to be surplus and no longer suitable for municipal purposes; and

WHEREAS, a board of three freeholders was appointed to establish a value of the property as required by statute; and

WHEREAS, the freeholders have presented their report on the value; and

WHEREAS, SDCL § 6-5-2 allows gratuitous transfers of real or personal property to nonprofit corporations for public, charitable, or humanitarian purposes; and

WHEREAS, SDCL 9-27-36 allows the transfer of municipal property to a non-profit local industrial development corporation; and

WHEREAS, the Rapid City Economic Development Foundation (the "RCEDF") is a South Dakota non-profit corporation formed to promote and encourage industrial and economic development within the City; and

WHEREAS, the RCEDF operates a business incubator on the campus of the South Dakota School of Mines and Technology which is currently full and has a waiting list of companies who would like space if any were available; and

WHEREAS, the RCEDF commissioned a feasibility study to determine if a new innovation center is needed in the community to support entrepreneurship, technology transfer, commercialization, economic development and growth; and

WHEREAS, the study found that an innovation center of at least 30,000 sq.ft. is feasible in Rapid City and identified the City owned parcel at 108 E. Main Street as in ideal location for such a facility due to its proximity to the School of Mines campus and downtown; and

WHEREAS, the RCEDF has requested the City donate this parcel to the foundation for creation of an innovation and development center consistent with its proposal; and

WHEREAS, the RCEDF currently has sufficient resources to construct the first several phases of the center without need of additional funding from the City; and

WHEREAS, the Common Council of the City of Rapid City finds it to be in the best interests of the community to donate the property described below to the Rapid City Economic Development Foundation, a South Dakota non-profit corporation, for use as a business incubator

and innovation center, consistent with the master plan presented to the City Council on October 16, 2017.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Rapid City that the following property shall be donated to the Rapid City Economic Development Foundation, a South Dakota non-profit corporation of 525 University Loop, Suite 101, Rapid City, South Dakota:

Ulland Outlot Revised, Rapid City, Pennington County, South Dakota. (108 E. Main Street consisting of approximately 4.52 acres)

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are authorized to execute a quitclaim deed transferring the property as described above via a deed containing a reversionary clause, acceptable to the City Attorney which requires the construction of and continued usage of the property as a business development center and/or business incubator consistent with the master plan it has presented for a period of ten years.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are also authorized to execute an assignment of the current lease agreement with the Pennington County Sheriff for a portion of the property to the RCEDF simultaneously with the deed transferring ownership.

Dated this ____ day of _____, 2017.

CITY OF RAPID CITY

Mayor

Attest

Finance Officer

(seal)