

Vote: Holler, Larson, Massie, Menard, Metiva, and Woodruff in favor

**CITY OF WASILLA  
RESOLUTION SERIAL NO. 08-39**

**A RESOLUTION OF THE WASILLA CITY COUNCIL AUTHORIZING THE CITY TO  
ACCEPT FROM TARGET CORPORATION A CONVEYANCE OF TRACT 9,  
COTTONWOOD CREEK PLACE SUBDIVISION.**

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WHEREAS, Target Corporation has offered to convey to the City property lying along Cottonwood Creek that is described as Tract 9, Cottonwood Creek Place Subdivision (the "Property"); and

WHEREAS, the preservation of open space along Cottonwood Creek as commercial development occurs is highly desirable to ensure the health and vitality of the creek itself and to provide a quiet and tranquil space for all the residents of and visitors to the City; and

WHEREAS, the Wasilla Parks and Recreation Commission in Resolution Serial No. 05-04 recommended that the City plan for and develop a greenbelt park along Cottonwood Creek, and the Wasilla Planning Commission in Resolution Serial No. 05-12 supported that recommendation.

NOW THEREFORE BE IT RESOLVED by the Wasilla City Council:

**Section 1.** The Council finds that it is in the public interest and for a public purpose of the City that the City acquire the Property.

**Section 2.** The Mayor is hereby authorized to accept a quitclaim deed to the property from Target Corporation substantially in the form attached to this resolution.

**Section 3.** In accordance with WMC 5.28.030.E, the Mayor is authorized to execute any instruments and take any steps necessary to complete and close the acquisition of the Property.

**Section 4.** This resolution shall be effective upon its adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on October 13, 2008.

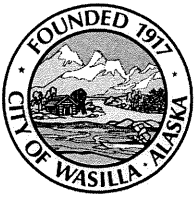
  
DIANNE M. KELLER, Mayor

ATTEST:

  
KRISTIE SMITHERS, MMC  
City Clerk

[SEAL]





**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: Resolution Serial No. 08-39: Authorizing the City to Accept From Target Corporation a Conveyance of Tract 9, Cottonwood Creek Place Subdivision.**

Agenda of: October 13, 2008  
Originator: Jim Holycross, City Planner

Date: October 1, 2008

Route to:	Department	Signature/Date
	Police, Youth Court, Dispatch, Code Compliance	
	Cultural and Recreation Services, Library, Museum, Sports Complex	
	Public Works, Recreation Facility Maintenance	
X	Finance, MIS, Purchasing	<i>Clayton</i> 10-1-08
X	Deputy Administrator, Planning, Economic Development, Human Resources	<i>Maryn</i>
X	City Clerk	<i>Tom</i>

**REVIEWED BY MAYOR DIANNE M. KELLER:** *Dianne M. Keller*

**FISCAL IMPACT:**  yes  no      Funds Available  yes  no

Account name/number:

Attachments:

**SUMMARY STATEMENT:**

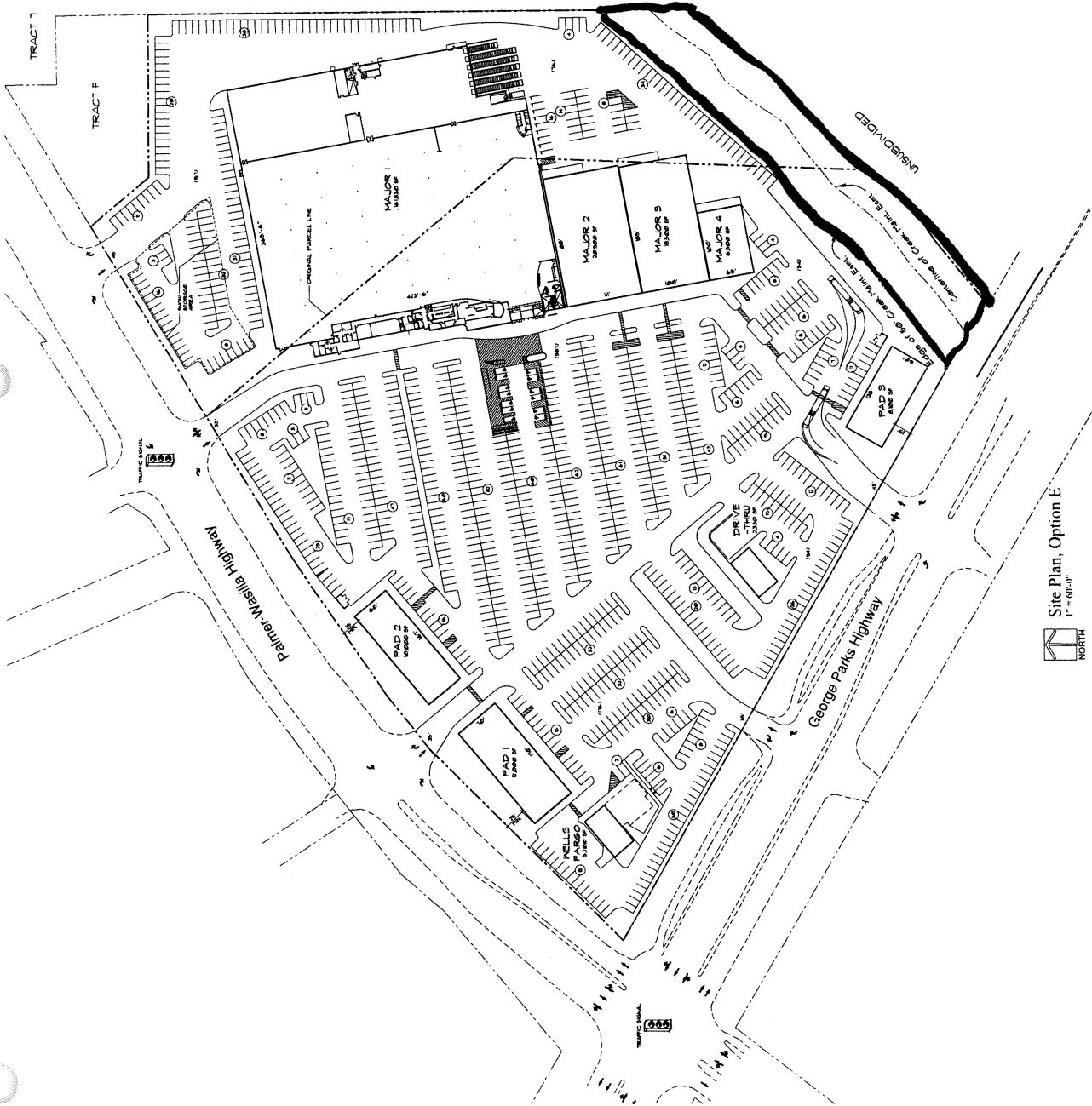
Attached is a quit claim deed for land along Cottonwood Creek. Target Corporation has executed this deed to convey the area along the creek to the City of Wasilla. Prior to this action there was a 50' Creek Maintenance Easement. The easement is now platted as Tract 9.

This action is based on recommendations by the Parks and Recreation and the Planning Commissions.

The area was surveyed and platted with the purpose of granting title for the City.

Proposed action: Accept the deed and title to the property.





**Project Summary**  
 LAND AREA: 109,429 SF (-) 2.47 ACRES  
 PARKING AREA: 2,480,000 SF  
 RATIO: 22.8/1

**PARKING REQUIRED:**  
 MAJOR 1: 127,704 SF AT 4.0/1000  
 3216 STALLS  
 MAJOR 2: 127,704 SF AT 4.0/1000  
 3216 STALLS  
 MAJOR 3: 127,704 SF AT 4.0/1000  
 3216 STALLS  
 MAJOR 4: 127,704 SF AT 4.0/1000  
 3216 STALLS  
 TOTAL REQUIRED: 12,704 STALLS

**PARKING PROVIDED:**  
 1144 STALLS  
 OVERALL RATIO: 4.8/1000

**Site Plan, Option E**  
 1" = 60'  
 NORTH

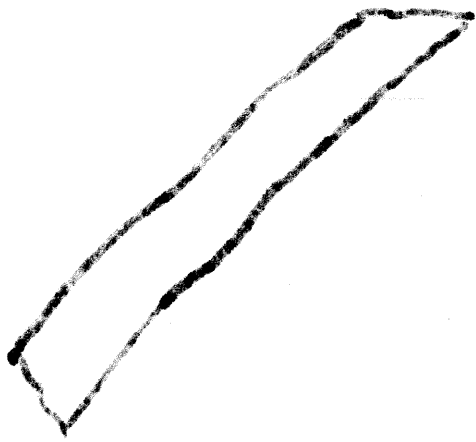
**Overall Site Plan**  
 1309 Retreat Way  
 Roseville, CA 95747  
 916.783.8540, Fax 916.784.3647  
 February 7, 2007

**Jerold L. Dougal**  
 ARCHITECT

**Tenant:** Browman Development Company, Inc.  
 100 Swan Way, Suite 206  
 Oakland, CA 94621-9701  
 510.430-9701

**Project:** Retail Shopping Center  
 George Parks Highway and Palmer-Wasilla Highway  
 Wasilla, Alaska

ALL DRAWINGS AND WRITTEN MATERIAL APPROPRIATELY CREDITED TO THE ORIGINAL AND SENIOR DESIGNER OF THIS ARCHITECT AND THIS FIRM MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN CONSENT OF JEROLD L. DOUGAL ARCHITECT.





TARGET

Office: (612) 696-2913

Fax: (612) 696-8309

E-Mail Address: [Sandy.Sichak@Target.com](mailto:Sandy.Sichak@Target.com)  
1000 Nicollet Mall, TPS 3155, Mpls., MN 55403

September 23, 2008

Via overnight delivery – UPS

Jim Holycross  
City of Wasilla  
290 E. Herning Avenue  
Wasilla, AK 99654

RE: Tract 9 Cottonwood Creek Place Subdivision  
Target Corporation  
Quit Claim Deed of Tract 9 to the City of Wasilla

Dear Jim,

Per your request, enclosed is a fully executed Quit Claim Deed from Target Corporation, successor to DBC LLC, to the City of Wasilla conveying Tract 9 of Cottonwood Creek Place Subdivision and an original Secretary's Certificate evidencing Scott Nelson's authority to sign the deed on behalf of Target Corporation. As discussed, please present the Deed to the City Council at the October 13th, 2008 City Council Meeting and request a Resolution by the City Council accepting the deed. Upon issuance of the Resolution please record the Deed and the Resolution with the appropriate recording office. After recording, please send me a copy of the recorded Deed and Resolution showing the recording data.

If there are any questions, or if you need anything else from me, please feel free to call me. Thank you for your help in this matter.

Sincerely,

Sandy Sichak  
Sr. Paralegal

Encl

CC Nikki Aden





**PALMER RECORDING DISTRICT**

AFTER RECORDING, RETURN TO:

City of Wasilla  
290 East Herning Avenue  
Wasilla, Alaska 99654  
Attn: Planning Department

**QUITCLAIM DEED**

Target Corporation, a Minnesota corporation, whose mailing address is 1000 Nicollet Mall, Minneapolis, Minnesota 55403, as successor by merger to DBC, LLC, an Alaska limited liability company ("Grantor"), for and in consideration of Ten Dollars (\$10), receipt of which is hereby acknowledged, conveys and quitclaims to the City of Wasilla, an Alaska municipal corporation, whose mailing address is 290 East Herning Avenue, Wasilla, Alaska 99654 ("Grantee"), all interest which Grantor has, if any, in the following described real property (the "Property"), together with all after acquired title of Grantor therein:

Tract 9, Cottonwood Creek Place Subdivision, according to the official plat thereof, filed under Plat Number 2008-35, Records of the Palmer Recording District, Third Judicial District, State of Alaska.

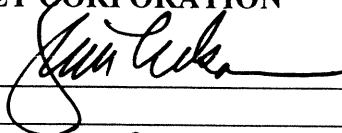
The Grantor hereby reserves for the benefit of the real estate legally described as follows (the "Adjacent Property"):

Tracts 1-8, and Tract 10, Cottonwood Creek Place Subdivision, according to the official plat thereof, filed under Plat Number 2008-35, Records of the Palmer Recording District, Third Judicial District, State of Alaska,

a perpetual, non-exclusive easement for the transmission and discharge of storm water drainage and/or runoff from the Adjacent Property over, upon, through and across the Property, together with the right of ingress and egress to install, operate, maintain, repair, remove and replace underground drainage piping and conduits necessary to exercise the drainage rights reserved herein.

DATED: September 22, 2008.

**TARGET CORPORATION**

By:   
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**Scott Nelson**  
**Sr Vice President**  
**Target Corporation**

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STATE OF MINNESOTA )  
 ) ss  
COUNTY OF HENNEPIN )

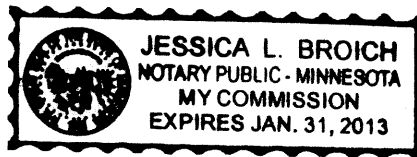
On this 22<sup>nd</sup> day of September 2008, personally appeared Scott Nelson, known to me and to me known to be the Sr. Vice President of TARGET CORPORATION, a Minnesota corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that s/he was authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Jessica L. Broich

Notary Public in and for the State of Minnesota

My commission expires: 4/31/13





**TARGET CORPORATION**

**CERTIFICATION BY ASSISTANT SECRETARY**

I, the undersigned, hereby certify that:

- 1) I am a duly elected and acting Assistant Secretary of Target Corporation, a corporation formed under the laws of the State of Minnesota (the "Corporation"), and that, as such, I am authorized to execute this certificate on behalf of the Corporation;
- 2) That the following is a true and correct excerpt from the By-Laws of the Corporation and that as of the date hereof the same remains in full force and effect:

**Section 6.01 Execution of Instruments**

All contracts, deeds, mortgages, notes, checks, conveyances, releases of mortgages and other instruments shall be signed on behalf of the corporation by the Chief Executive Officer, the Chairman of the Board, the President, any Vice Chairman, the Chairman of the Executive Committee or any Vice President, or by such other person or persons as may be designated or authorized from time to time by the Board or by the Chief Executive Officer; and

- 3) Attached hereto as Exhibit A is a true and correct copy of a Certificate of Delegation duly executed by Gregg W. Steinhafel, the duly appointed Chairman and Chief Executive Officer of the Corporation, and such Certificate of Delegation has not been amended, modified or rescinded and is currently in full force and effect;
- 4) The seal affixed hereto is the true and correct seal of the Corporation.

IN WITNESS WHEREOF, I have executed this Certificate and affixed the seal of the Corporation on this 23 day of September 2008.

TARGET CORPORATION

By:   
Name: Terri Simard  
Title: Assistant Secretary



ACKNOWLEDGEMENT

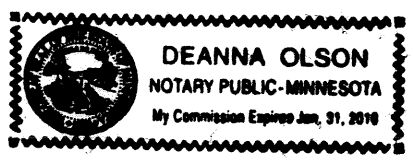
STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF HENNEPIN    )

Terri Simard, known by me personally to be the Assistant Secretary of Target Corporation, a Minnesota corporation, on behalf of the Corporation, acknowledged the foregoing instrument before me this 23<sup>rd</sup> day of September 2008.

Notary Public: *Deanna Olson*

My Commission Expires: 1/31/2010

Notary Seal:



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**TARGET CORPORATION**  
**CERTIFICATE OF DELEGATION**

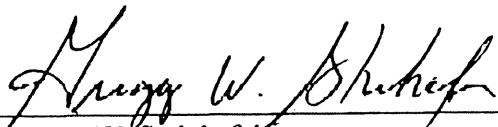
I, Gregg W. Steinhafel, Chief Executive Officer of Target Corporation, a Minnesota corporation, being authorized and empowered to do so pursuant to Section 6.01 of the By-Laws of the Corporation, do hereby delegate to **SCOTT NELSON and TERRI SIMARD**, as Authorized Signatories of Target Corporation including its Target Stores division (hereinafter referred to collectively as the "Corporation), effective as of the date of execution hereon, the authority to fully bind the Corporation, and to make, execute, deliver and attest on behalf of the Corporation any and all contracts, agreements and other documents made by or entered into on behalf of the Corporation, including, but not limited to, deeds, mortgages, notes, conveyances, assignments, management contracts, maintenance contracts, land purchase agreements, license agreements, construction agreements, reciprocal easement agreements, options, waivers, consents, real property and personal property leases and sub-leases, bonds, guaranties, licenses and permits, and applications for same, and other instruments, and to take such other action as each and any of them deem necessary, advisable or convenient to execute and deliver such contracts, agreements or other instruments on behalf of the Corporation.

Any such Authorized Signatory may delegate their authority and power to such other person or persons as they may designate in writing.

A certificate of the Secretary or Assistant Secretary of the Corporation shall constitute all the evidence necessary to indicate and substantiate the due authority of said Authorized Signatories to perform the tasks contemplated by this action. The authority granted hereby shall continue in full force and effect until revoked or canceled either by action of the Corporation or the undersigned, or immediately upon cessation of the Authorized Signatories' employment by the Corporation.

Dated effective as of the 1<sup>st</sup> day of May 2008.

TARGET CORPORATION  
(A Minnesota Corporation)

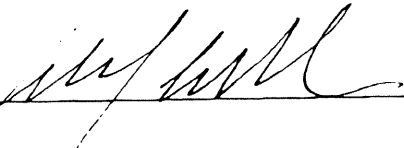
By:   
\_\_\_\_\_  
Gregg W. Steinhafel  
Chief Executive Officer



ACKNOWLEDGEMENT

STATE OF MINNESOTA     )  
  ) ss.  
COUNTY OF HENNEPIN    )

Gregg W. Steinhafel, known by me personally to be the Chief Executive Officer of Target Corporation, a Minnesota corporation, on behalf of the Corporation, acknowledged the foregoing instrument before me this 1<sup>st</sup> day of May 2008.

Notary Public: 

My Commission Expires: 1/31/11

Notary Seal:



