

EXTRACT OF MINUTES OF MEETING
OF THE CITY COUNCIL OF THE
CITY OF MAPLE GROVE, MINNESOTA

HELD: MARCH 20, 2023

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maple Grove, Hennepin County, Minnesota, was duly called and held at the Government Center/Public Safety Facility in said City on March 20, 2023, at 7:30 p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 23-051

RESOLUTION CONCURRING IN THE APPROVAL OF, AND AUTHORIZATION TO EXECUTE, THREE DEVELOPMENT AGREEMENTS

A. WHEREAS, Arbor Lakes 2 Industrial Owner, LLC, a Delaware limited liability company (the "First Developer") has requested the Economic Development Authority in and for the City of Maple Grove, Minnesota ("the EDA") to assist with the financing of certain costs incurred in connection with the construction of an approximately 203,020 square foot building to be leased to one or more tenants for manufacturing or warehouse and distribution uses by the First Developer ("Project One"), pursuant to the terms of a certain Development Agreement (the "First Development Agreement"), a draft of which has been submitted to the City Council (the "Council") of the City of Maple Grove, Minnesota (the "City") for consideration; and

B. WHEREAS, First Developer has requested the EDA to assist with the financing of certain costs incurred in connection with the construction of a second approximately 203,020 square foot building to be leased to one or more tenants for manufacturing or warehouse and distribution uses by the First Developer ("Project Two"), pursuant to the terms of a certain Development Agreement (the "Second Development Agreement"), a draft of which has been submitted to the City Council for consideration; and

C. WHEREAS, Arbor Lakes Building 7, LLC, a Delaware limited liability company (the "Second Developer," and together with the First Developer, the "Developers") has requested the EDA to assist with the financing of certain costs incurred in connection with the construction of an approximately 106,424 square foot building to be leased to one or more tenants for manufacturing or warehouse and distribution uses by the Second Developer ("Project Three"), pursuant to the terms of a certain Development Agreement (the "Third Development Agreement," and together with the First Development Agreement and Second Development Agreement, the

“Development Agreements”), a draft of which has been submitted to the City Council for consideration; and

D. WHEREAS, the proposed assistance by the EDA to the Developers, as contemplated by the Development Agreements, is considered a business subsidy (the "Business Subsidies") pursuant to Minnesota Statutes, Sections 116J.993 to 116J.995 (the "Business Subsidies Act"); and

E. WHEREAS, on the date hereof, the EDA held a public hearing, pursuant to the Business Subsidy Act, and subsequently approved the Business Subsidies and the Development Agreements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove, Minnesota, as follows:

1. The City Council hereby concurs in the approval by the EDA of the Development Agreements, and the Business Subsidies described therein, in substantially the form submitted.

2. The approval hereby given to the Development Agreements includes approval of such additional details therein as may be necessary and appropriate, and such modifications thereof, deletions therefrom, and additions thereto, as may be necessary and appropriate and approved by EDA or City officials. The execution of the Development Agreements by the appropriate officer or officers of the EDA shall be conclusive evidence of the approval of the Development Agreements in accordance with the terms hereof.

The motion for adoption of the foregoing resolution was duly seconded by member _____ and, after full discussion thereof, and upon a vote being taken thereof, the following voted in favor thereof:

and the following voted against the same:

Adopted this 20th day of March, 2023.

Mayor

Attest: _____
City Administrator

STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF MAPLE GROVE

I, the undersigned, being the duly qualified and acting City Administrator of the City Council of the City of Maple Grove, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes with the original minutes of a meeting of the City Council City held on the date therein indicated, which are on file and of record in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a Resolution Concurring in the Approval of, and Authorization to Execute, Three Development Agreements.

WITNESS my hand as such City Administrator of the City Council of the City of Maple Grove, Minnesota this 20th day of March, 2023.

City Administrator