

MEMORANDUM OF UNDERSTANDING

DATE: December 23, 2020
TO: Honorable Mayor and City Council
FROM: Kris M. Busse, City Administrator and Mark M. Walbran, City Attorney
RE: Designation of Donated Parkland as Nass Woods

The purpose of this Memorandum of Understanding (MOU) is to address the issue of the naming rights to the donation of land by the Nass Family.

On December 10, 2020 Roger Nass, on behalf of the family of the late Ralph and Josephine Nass, advised that the family wished to donate to the City their remaining 3-acre wooded tract (Lot 2, Block 1, Nass Addition No. 2), just north of the Daikin Soccer Complex which they deeded to the City in 2016. This is a beautiful, wooded site through which the Izaak Walton Creek runs. Their intent is that the land be added to the City's parks and trail system. The terms and conditions of the gift were only that the property (1) be named as "Nass Woods" in memory of their parents, and (2) transferred to the City this year.

On December 15, 2020 the Council adopted a Resolution accepting the donation with the condition that the City Attorney determine that the name "Nass Woods" is consistent with the City's naming policy.

The Council will recall that in 2016 the Nass Family conveyed approximately 16.5 acres to the City, the site of the Daikin Soccer Complex, (Lots 1 and 3, Block 1, Nass Addition No. 2). The appraised value of that site in 2017 was \$215,000. Thus, that transfer represented a gift to the City of \$215,000. The family asked only to be reimbursed the past real estate taxes they had paid, \$45,000, which was paid by the Owatonna Soccer Association.

With this additional 3-acre gift, the Nass Family will have completed a total donation of about 20 acres to the City for parks and trails.

At the time of the transfer in 2016, the City had not yet adopted a naming policy. The naming policy was adopted on October 1, 2019. That policy includes a provision which states:

If the naming is based upon a monetary or in-kind gift, the City Administrator is charged with the responsibility of confidentially notifying the City Council of the gift. The City and City Attorney shall develop a proposed MOU delineating terms and condition of the gift.

Given the timing of the gift, the donors' desire to conclude this matter in calendar 2020, the proximity of the property adjacent to the land previously donated, the benefit to the City, and the above provision, it is appropriate to designate the donated land as "Nass Woods".

The naming of the property as “Nass Woods” falls well within the spirit of the policy.

Kris M. Busse, City Administrator



Mark M. Walbran, City Attorney