

RESOLUTION #02-01-16B

A RESOLUTION TO AUTHORIZE THE MAYOR AND FINANCE OFFICER TO EXECUTE DEEDS TO ASSURE THE CONTINUATION OF HIGH QUALITY HEALTHCARE SERVICES WITHIN THE CITY OF CUSTER

WHEREAS, the City of Custer has previously transferred certain real property located within the City of Custer to Custer Community Health Services, Incorporated; and

WHEREAS, the deeds transferring the property to Custer Community Health Services, Incorporated contain a requirement for Custer Community Health Services, Incorporated to continue to use the property for health care purposes, or the property shall revert to the City of Custer; and

WHEREAS, the City of Custer has been informed that the challenges inherent in the evolving healthcare environment are having the effect of forcing consolidation among healthcare providers; and

WHEREAS, Regional Health Network, Incorporated has indicated its willingness to construct a new hospital and clinic facility within the City of Custer to replace the outdated hospital and clinic facilities which are currently in place; and

WHEREAS, Custer Community Health Services, Incorporated has determined the continuation of high quality healthcare services, including the construction of new facilities to replace the existing outdated facilities, can best be assured by merging its operations with Regional Health Network, Incorporated; and

WHEREAS, the existing deed restrictions would create uncertainty within the chain of title following the merger of Custer Community Health Services, Incorporated and Regional Health Network, Incorporated; and

WHEREAS, the execution of new deeds would alleviate the potential ambiguity within the chain of title; and

WHEREAS, the Custer Common Council has determined that it continues to be in the best interest of the community to continue to support high quality health care services in the City of Custer following the merger of Custer Community Health Services, Incorporated into Regional Health Network, Incorporated.

NOW, THEREFORE, BE IT RESOLVED by the Custer Common Council that the City of Custer supports the merger of Custer Community Health Services, Incorporated into Regional Health Network, Incorporated; and

BE IT FURTHER RESOLVED by the Custer Common Council that the Mayor and Finance Officer are authorized to execute deeds granting the full fee simple interest without restriction in the property described as

TRACT HOSPITAL R (formerly Tract Hospital), and TRACT CLINIC (both formerly a portion of Lot E and all of Lot B Revised) located in the SW1/4 of Section 24, Township 3 South, Range 4 East, B.H.M., City of Custer, Custer County, South Dakota, as shown on the Plat filed in Book 4 of Plats, Page 137.

to Custer Community Health Services, Incorporated, with the understanding that upon completion of the construction of a new hospital and clinic facility, the existing structures on these parcels will be demolished, the property returned to green space and conveyed back to the City of Custer by Regional Health Network, Inc. as successor in interest to Custer Community Health Services, Inc., with a restriction prohibiting the use of the property for healthcare facilities; and

BE IT FURTHER RESOLVED by the Custer Common Council that the Mayor and Finance Officer are authorized to execute deeds granting a fee simple interest, subject to a reversionary interest in the City of Custer City in the event the parcels are not used for healthcare purposes in the property described as

LOT F, formerly a portion of City Park, in the SW1/4 of Section 24, Township 3 South, Range 4 East, B.H.M., City of Custer, Custer County, South Dakota, as shown on the Plat filed in Book 1 of Plats, Page 155; and

TRACT NURSING HOME (formerly a portion of Lot E) located in the SW1/4 of Section 24, Township 3 South, Range 4 East, B.H.M., City of Custer City, Custer County, South Dakota, as shown on the Plat filed in Book 4 of Plats, Page 137 and Book 10 of Plats, Page 215, Excepting therefrom Tract Ambulance of Health Care Subdivision of Tract Nursing Home, as shown on the plat filed in Book 12 of Plats, Page 303; and

TRACT AMBULANCE, of Health Care Subdivision of Tract Nursing Home of Lot E located in the SW1/4 of Section 24, Township 3 South, Range 4 East B.H.M., City of Custer City, Custer County, South Dakota as shown on the Plat filed in Book 12 of Plats, Page 303,

to Custer Community Health Services, Incorporated.

Dated this 1st day of February, 2016.

CITY OF CUSTER

Mayor Jared Carson

ATTEST: _____
Laurie Woodward
Finance Officer

(SEAL)