

Johnson, Nick M

From: Jane Miller <janem@CPTitle.com>
Sent: Tuesday, September 20, 2016 3:52 PM
To: Johnson, Nick M
Cc: 'jessica.howell@walmart.com'; Pease, Londell; Markegard, Glen
Subject: RE: Bloomington MN Escrow Release
Attachments: Escrow Releases.pdf

Categories: CityView Planning Attachment

Nick,

In 2003 we set up 2 escrow accounts with the City involving the Sam's Club and the Wal-Mart. Attached are the 2 letters from the City authorizing us to release the funds and copies of our cover letters to Wal-Mart sending them the funds.
Both checks cleared our bank in 2009.

Jane Miller
Vice President / Principal
Commercial Partners Title, LLC
200 South Sixth Street, Suite 1300
Minneapolis, MN 55402
Ph: (612) 337-2498
Fax: (612) 337-2471
janem@cptitle.com



Title and Escrow \ 1031 Exchange \ Construction Disbursing

From: Johnson, Nick M [mailto:nmjohnson@BloomingtonMN.gov]
Sent: Tuesday, September 20, 2016 2:28 PM
To: Jane Miller <janem@CPTitle.com>
Cc: 'jessica.howell@walmart.com' <jessica.howell@walmart.com>; Pease, Londell <lpease@BloomingtonMN.gov>; Markegard, Glen <gmarkegard@BloomingtonMN.gov>
Subject: FW: Bloomington MN Escrow Release

Jane,

Regarding the Walmart escrow release, Walmart has confirmed that the escrow that was released in 2009 related to a nearby Sam's Club store. I believe an escrow for the Walmart store located at 700 American Blvd E. is still held by

Commercial Partners. Can you confirm if this is the case? The development agreement and escrow agreement are attached.

Thank you for your assistance in trying to sort this out.

Take care,

Nick M. Johnson | Planner

Planning Division | City of Bloomington

1800 West Old Shakopee Road | Bloomington, MN 55431

Direct: (952) 563-8925 | [NMJohnson@BloomingtonMN.gov](mailto:NMJJohnson@BloomingtonMN.gov)

From: Jessica Howell [<mailto:Jessica.Howell@walmart.com>]

Sent: Tuesday, September 20, 2016 2:23 PM

To: Johnson, Nick M

Subject: RE: Bloomington MN Escrow Release

Nick,

You were correct, the escrow that was released was for the Sam's Club that is very close to the store we're currently working with now in 2009/2010. Is there information I can provide to clarify? Thank you for your assistance!

Sincerely,

Jessica Howell, Realty Manager IA, MN, WI

Realty Management

Walmart Realty

Phone 479-204-1270

jessica.howell@walmart.com

Walmart

2001 SE 10th Street

Bentonville, AR 72716-0316

Save money. Live better.

This email and any files transmitted with it are confidential and intended solely for the individual or entity to whom they are addressed. If you have received this email in error destroy it immediately. *** Walmart Confidential ***



January 26, 2009

Commercial Partners Title, LLC
ATTN: Ann Nelson, Assistant Closer
200 South Sixth Street
Suite 1300
Minneapolis, MN 55402

Dear Ms. Nelson:

Pursuant to your request, I have review the files with regard to the Escrow Agreement dated July 9, 2003 between the City of Bloomington and Wares Delaware. According to the Development Agreement filed with Hennepin County (Filed on July 24, 2003 and number 8112313), the Escrow requirement, as sated in section 1(d)(vi), shall terminate and all funds be paid to the applicant upon 1,825 days of store operations without a "notice of chargeable violations" occurring.

Although, the store had violations in that time period, they were never formally documented with a notice or other written correspondence, only working with the manager to gain compliance. Therefore, without written documentation to support the violation, the formal records indicate the site has been violation free for the time period required. Wares Delaware is thereby released from the escrow agreement as stated in the agreement and all funds shall be returned to them accordingly.

Please contact me at lpease@ci.bloomington.mn.us or (952) 563-8926 for any questions.

Sincerely,

Londell Pease, Planner
Community Development Division

LP/lp

20775 MISC
(1)



COMMERCIAL PARTNERS
T I T L E, L L C

January 23, 2009

FEDERAL EXPRESS

Priscilla Etheredge
Wares Delaware Corporation
c/o Wal-Mart Stores, Inc.
Attn: #44-9384, Realty Management
2001 South East 10th Street
Bentonville, AR 72716-0550

Store 2198

RE: CP File No. 20775.68
Wal-Mart / City of Bloomington

Dear Ms. Etheredge:

Enclosed please find a check in the amount of \$31,510.20 for the release of escrowed funds between Wares Delaware Corporation and the City of Bloomington, MN regarding City Code compliance set forth in the Development Agreement.

If you have any questions or concerns regarding the enclosed items, please call me at (612) 643-1049.

Very truly yours,

COMMERCIAL PARTNERS TITLE, LLC

Ann Nelson

Ann Nelson
Assistant Closer

Enclosure(s)

• Commercial Title Insurance Solutions • Unparalleled Customer Service • Great Relationships

Representing:

*Chicago Title Insurance Company • Fidelity National Title Insurance Company • Lawyers Title Insurance Corporation
First American Title Insurance Company • Stewart Title Guaranty Company • Ticor Title Insurance Company*

200 South Sixth Street • Suite 1300 • Minneapolis, Minnesota 55402 • 612/337-2470 • FAX: 612/337-2471



December 21, 2009

Commercial Partners Title, LLC
ATTN: Ann Nelson, Assistant Closer
200 South Sixth Street, Suite 1300
Minneapolis, MN 55402

RE: Escrow Agreement – Sam's Club, Bloomington, MN

Dear Ms. Nelson:

This correspondence is in regard to a \$30,000 escrow fund your company is holding as part of a Development Agreement between the City of Bloomington and Sam's Real Estate Business Trust. The property is located 200 American Boulevard West.

The Development Agreement states "The escrow fund shall be terminated when a period of 1,825 days (365 days X 5) has passed without a violation and upon termination all funds being held in escrow shall be paid to Sam's Real Estate Business Trust." The property has met that requirement and pursuant to the Escrow Agreement, the funds may be released.

Please contact me at 952-563-8926 or lpease@ci.bloomington.mn.us for questions.

Sincerely,

Londell Pease, Planner
Community Development Division

LP/lp



COMMERCIAL PARTNERS
T I T L E, L L C

December 22, 2009

US MAIL

Sam's Real Estate Business Trust
Attn: Property Management, State of Minnesota
2001 South East 10th Street
Bentonville, AR 72712-0550

RE: CP File No. 16769
Sam's Club/Bloomington, MN

To Whom It May Concern:

Enclosed please find the following items regarding the above-referenced transaction:

1. Check in the amount of \$35,623.44 for return of code compliance escrowed funds plus interest.

If you have any questions regarding the enclosed items, please call me at (612) 643-1049.

Sincerely,

COMMERCIAL PARTNERS TITLE, LLC

Ann Nelson
Assistant Closer

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