

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

08-080-0

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING RECONVEYANCE OF PROPERTY AT  
BASE OF SPIRIT MOUNTAIN ABOVE GRAND AVENUE BETWEEN 86TH  
AND 87TH AVENUES WEST TO STATE OF MINNESOTA (S.V.  
BAYHILL).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the proper city officials are hereby authorized to reconvey the below-described property in St. Louis County, Minnesota, previously requested to be free-conveyed to the city, to the state of Minnesota:

Ironton Second Division, Block 36, Lots 9-31 inclusive (Parcel ID 010-2530-07020); and

Ironton Second Division, Block 53, Lots 1-22 inclusive (Parcel ID 010-2530-10870).

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:

\_\_\_\_\_  
Attorney

PC/PLNG LAH:tmf 9/12/2008

STATEMENT OF PURPOSE: This ordinance authorizes the reconveyance of the property located north of Grand Avenue between 86th and 87th avenues West to the state of Minnesota.

The property was originally tax forfeited property which was requested to be free-conveyed to the city in 2008 at no cost to be used exclusively for recreational purposes associated with the Spirit Mountain recreational facility. Because a limited fee title would run with the property, the use of the property could not be changed to another use; nor could the city sell the property to another party for any different use.

The Spirit Mountain board of directors has informed the city that this property will not be needed in their recently completed master plan; therefore, the city is obligated to reconvey it to the state. S.V. Bayhill, LLC, the adjacent property owner, has requested this reconveyance as they are interested in developing it.

The following have reviewed and approved reconveyance of the property at public meetings held on the following dates: parks and recreation commission (master plan approval), July 9, 2008; Spirit Mountain authority board of directors, June 11, 2008; and planning commission, September 9, 2008.

This ordinance will authorize reconveyance of this parcel to the state and potentially its sale to a private party. If this were to occur, the parcel would go from its current tax exempt status to a taxable status, thereby increasing the city's tax base.