

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0410R

REPLACEMENT

RESOLUTION OBJECTING TO THE PROPOSED RECLASSIFICATION TO NON-CONSERVATION AND SALE OF CERTAIN TAX FORFEITED PARCELS BY THE BOARD OF COMMISSIONERS OF SAINT LOUIS COUNTY (MAY 21, 2009, RECLASSIFICATION).

CITY PROPOSAL:

RESOLVED, that the city council objects to the reclassification to nonconservation and sale of the following tax forfeited parcels by the board of county commissioners of Saint Louis County:

Parcel ID and legal description	Location	Reason
010-0850-03500 010-0850-03510 010-0850-03520 Dodges Addition Block 28, Lots 3, 4, and 5 TRACT #3	north side of Greene Street between 64th and 65th avenues West (Cody)	trout stream and stormwater protection
010-1630-01240 010-1630-01250 010-1630-01260 010-1630-01270 Fond du Lac Fifth Street Lots 62, 64, 66, and 68 TRACT #5	north side of Fifth Street extended to the intersection with Mission Creek (Fond du Lac)	trout stream, flood plain, and stormwater protection
010-1630-01140 010-1630-01160 010-1630-01190 010-1640-00210 010-1640-00270 010-1640-00280 Fond du Lac Fifth Street Lots 42-60, even numbered lots Fond du Lac Sixth Street Lots 41-59, odd numbered lots TRACT #6	west side of Mission Creek between extended Fifth and Sixth streets (Fond du Lac)	trout stream and stormwater protection, future addition to adjacent park
010-1640-01140 010-1640-01150 010-1640-01160 010-1640-01170 010-1640-01180 010-1640-01190 010-1640-01200 010-1640-01210 010-1640-01220 010-1640-01230 Fond du Lac Sixth Street Lots 42-60, even numbered lots TRACT #7	west side of Mission Creek on the north side of extended Sixth Street (Fond du Lac)	trout stream and stormwater protection, addition to adjacent park

Parcel ID and legal description	Location	Reason
010-1650-00310 Fond du Lac Seventh Street Lots 61-69 odd numbered lots TRACT #8	south side of Seventh Street extended to Mission Creek (Fond du Lac)	trout stream, flood plain, and stormwater protection
010-3140-02030 010-3140-02040 Macfarlanes Grassy Point Add. Block 11, Lot 3, except hwy rt. of way, and Lot 4 TRACT #10	east side of extended 64th Ave- nue West, north of Roosevelt Street (Fairmount)	stream and stormwater protection, stream runs through the property
010-3850-00800 Portland Division Block 125, Lot 7 TRACT #11	south side of Sixth Street between Eighth and Ninth avenues East (East Hillside)	stream and stormwater protection
010-3850-00810 Portland Division Block 125, Lot 8 TRACT #12	south side of Sixth Street between Eighth and Ninth avenues East (East Hillside)	stream and stormwater protection, stream runs through the property
010-1760-01670 East Fond du Lac Lots 14, 15, and 16 TRACT #20	east side of extended 125th Avenue West north of Highway 23 (Fond du Lac)	steep slope preservation, addition to park
010-2710-01250 Duluth Lands in the City Section 5, Twp 50N, Rng 14W E ½ of W ½ of NW 1/4 of SW 1/4, except hwy rt. of way TRACT #21	north side of Norton Road east of Rice Lake Road (airport)	airport runway approach protection (Safety Zone B)

Parcel ID and legal description	Location	Reason
010-2710-05739 Duluth Lands in the City Section 19, Twp 50N Rng 14W Wly 235 feet of the Sly 60 feet of the N ½ of the NW 1/4 of the SE 1/4 of the SE 1/4 TRACT #23	east side of Chambersburg Avenue north of the crossing of Miller Creek (Duluth Heights)	trout stream, flood plain, and stormwater protection

Approved as to form:

Attorney

PC KD:tmf 6/10/2009

STATEMENT OF PURPOSE: This resolution exercises authority granted to municipalities by Minnesota Statutes, Chapter 282, to disapprove of reclassification of tax forfeited lands from conservation to nonconservation upon notification from the board of county commissioners.

Pursuant to Minnesota Statutes Section 282.01, Subdivision 1; all parcels of land becoming the property of the state of Minnesota in trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as "conservation" or "nonconservation." Lands classified conservation are those properties for which there is potential for some public purpose.

Several times per year the county board reclassifies tax-forfeited land that it feels is appropriate for sale. The parcels listed in this resolution were previously classified "conservation," preventing them from being sold. The city is given notice of this reclassification and the opportunity to respond as to whether we agree or disagree with the reclassification. The city's response, via resolution, must be sent to the county within 60 days of our receiving the list.

The goals of the classification/reclassification and listing process include:

- (1) Encouraging the most economical and efficient use of property for transportation, roads, water supply, drainage, sanitation, education and recreation.
- (2) Reducing local government taxes.
- (3) Conserving and developing local natural resources.
- (4) Encouraging suitable economic development.

On May 21, 2009, the planning division received a list of 40 parcels (grouped into 19 tracts) of tax forfeited land reclassified to nonconservation status by the Saint Louis County Board of Commissioners. Planning division staff has reviewed all of the parcels with the city planning commission (at their June 9, 2009, regular meeting) recommending objection to the reclassification of 11 of the 19 tracts. In conducting the review, staff and the planning commission find continuing public purpose for retaining these parcels.

Summary of Recommendation	
Tracts reclassified by the county board:	19
Tracts for which the reclassification and sale is objected to:	11
Tracts for which the reclassification and sale is not objected to:	8