

INTERGOVERNMENTAL RELATIONS

10-003-0

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING RECONVEYANCE OF PROPERTY IN THE
WEST DULUTH AREA TO THE STATE OF MINNESOTA.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the city council hereby finds that:

(a) As per Section 2-176(a), of the Duluth City Code, 1959, as amended (the "Code"), the manager of the city's physical planning division has reviewed these proposed conveyances and found conveyance there of to be in conformity with the city's comprehensive land use plan;

(b) As per Section 2-176(b) of the Code, the city assessor has provided an estimate of market value for the parcel under consideration. Such estimate is on file in the office of the property manager;

(c) The property described in Section 2 below is hereby determined to be surplus to the city's future needs and is therefore appropriate for reconveyance pursuant to Article XXXIII of Chapter 2 of the Code;

(d) As per Section 2-177.4 of the Code, the city council finds that conveyance of the property described in Section 2 below to the state of Minnesota at less than market value (no cost) will make said property available for resale and return said property to the property tax roles.

Section 2. That the proper city officials are hereby authorized to reconvey the below-described property in St. Louis County, Minnesota, previously free-conveyed to the city, to the state of Minnesota:

That part of Lots 6-16, rearrangement of Block 23, HUNTER'S GRASSY POINT ADDITION TO DULUTH, lying westerly of the following described line:

Beginning at a point on the northerly line of Lot 6 distant 79.46 feet easterly of the northwest corner thereof; thence deflecting to the right and continuing southeasterly along a straight line to a point on the northerly line of Lot 10 distant 125.00 feet easterly of the northwest corner thereof; thence deflecting to the right and continuing southerly in a straight line to a

point on the southerly line of Lot 16 distant 125.00 feet easterly of the southwest corner thereof and there terminating. Subject to street easements for the street platted as Monroe Avenue, now referred to as 63rd Avenue West, and the street platted as Seventh Street, now referred to as Natchez Street, as shown on the plat of rearrangement of Block 23, HUNTER'S GRASSY POINT ADDITION TO DULUTH.

Section 3. That this ordinance shall take effect 30 days after its passage and publication.

Approved:

Department Director

Approved as to form:

Attorney

PROP MGMT TH:cp 2/1/2010

Approved for presentation to council:

Chief Administrative Officer

Approved:

Auditor

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize the reconveyance of the above property, located on the East side of South 63rd Avenue West between Fremont and Natchez streets to the state of Minnesota.

The property was originally tax forfeited property which was conveyed to the city in 1988 at no cost to be used "exclusively for the expansion of the Western Waterfront Trail."

Because the city received a "limited fee title" to the property, it cannot change the use of the property to another use; nor can the city sell the property to another party for any different use.

Since the Western Waterfront Trail is now complete, the above property is no longer needed for this purpose.

The parks and recreation commission on July 8, 2009, and the planning commission on September 8, 2009, have reviewed and approved the reconveyance of this property.

This ordinance will authorize the reconveyance of this property to the state and allow for its future public sale. Once sold the property will return to active tax status.