

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-0351R

RESOLUTION OBJECTING TO THE PROPOSED RECLASSIFICATION TO NONCONSERVATION AND SALE OF CERTAIN TAX FORFEITED PARCELS BY THE BOARD OF COMMISSIONERS OF SAINT LOUIS COUNTY (APRIL 19, 2010, RECLASSIFICATION).

CITY PROPOSAL:

RESOLVED, that the city council objects to the reclassification to non-conservation and sale of the following tax forfeited parcels (FN 10040) by the board of county commissioners of Saint Louis County:

Parcel ID and legal description	Location	Reason
010-1500-00070 010-1500-00340 Englewood Farms Division All of Lots 7, 8, 9, and northerly 218-30/100 feet of Lot 10 and all of Lots 34-37	north side of Arrowhead Road at East Branch of Chester Creek crossing (Kenwood)	trout stream protection
010-2710-01775 010-2710-01820 Lands in the City of Duluth Section 6, Twp 50N, Rng 14W N ½ of NE ¼ of SE ¼, except Hwy easement, and N ½ of S ½ of SE ¼ of SE ¼, except Hwy easement	west side of Rice Lake Road, north of Airport Road (airport)	inside Airport Runway Safety Zone A

Parcel ID and legal description	Location	Reason
010-2710-04300 Section 18, Twp 50N, Rng 14W E ½ of SE 1/4 of NE 1/4 of NE 1/4	900 feet west and 600 feet south of the intersection of Swan Lake Road and Arrowhead Road (Duluth Heights)	planned roadway corridor (Joshua Avenue)

Approved as to form:

Attorney

PC:PLNG KD:eu 6/16/2010

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 "Non-Conservation." 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 April 20, 2010, the planning division received a list of 11 parcels (shown on the maps) of tax-forfeited land reclassified to nonconservation status by the Saint Louis County Board of Commissioners. Planning division staff reviewed all of the parcels with the City Planning Commission at their June 8, 2010, regular meeting and recommends objection to the reclassification of 5 of the 11 parcels. In conducting the review, staff and the Planning Commission find continuing public purpose for retaining the parcels listed below:

PIDs 1500-70 and 1500-340 (Map 2) are almost entirely wetland, they have several courses of the East Branch of Chester Creek (trout stream) meandering across them and there is no place on either parcel that is outside the stream setback required to build.

PIDs 2710-1775 and 2710-1820 (Map 3) are under the approach to the main runway at the airport and the Duluth airport authority has requested the parcels not be sold (see attached June 2, 2010 letter from Brian Ryks, airport executive director).

PID 2710-4300 (Map 5) is needed for the planned extension of Joshua Avenue from Maple Grove Road to Arrowhead Road. The alignment of this roadway is currently being studied and it is likely that this parcel will provide a critical link. Please see the letter dated June 3, 2010, from City Engineer Cindy Voigt.

Summary of Recommendation	
Parcels reclassified by the county board:	11
Tracts for which the reclassification and sale is objected to:	5
Tracts for which the reclassification and sale is not objected to:	6