

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

11-0260R

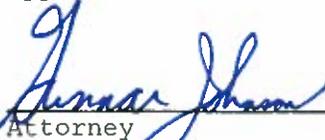
RESOLUTION OBJECTING TO THE PROPOSED RECLASSIFICATION TO NON-CONSERVATION AND SALE OF CERTAIN TAX FORFEITED PARCELS BY THE BOARD OF COMMISSIONERS OF SAINT LOUIS COUNTY (FN 11-052 APRIL 20, 2011, RECLASSIFICATION)

CITY PROPOSAL:

RESOLVED, that the city council objects to the reclassification to non-conservation and sale of the following tax forfeited parcel (FN 11-052) by the board of county commissioners of Saint Louis county:

Parcel ID and legal description	Location	Reason
010-3260-00090 Lots 9 Through 13	Adjacent to Skyline Parkway and north of Keene Creek and Superior Hiking Trail	Trail Preservation and Park Purposes

Approved as to form:


Attorney

PC SR:eu 05/12/2011

STATEMENT OF PURPOSE: This resolution 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 non-conservation 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, 2011, the Planning division received a list of 6 parcels of tax-forfeited land reclassified to non-conservation status by the Saint Louis County Board of Commissioners. Planning division staff reviewed all of the parcels with the City Planning Commission at their May 10, 2011, regular meeting and recommends objection to the reclassification of 1 of the 6 parcels. In conducting the review, staff and the Planning Commission find continuing public purpose for retaining the parcels listed below:

PID 010-3260-00090, for trail preservation and park purposes use.

<u>Summary of Recommendation</u>	
Parcels reclassified by the County Board:	6
Tracts for which the reclassification and sale is objected to:	1
Tracts for which the reclassification and sale is not objected to:	5

RECLASSIFICATION OF STATE TAX FORFEITED LAND

<u>PARCEL</u>	<u>LDKEY</u>	<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>LEGAL</u>	<u>ACRES</u>
010-1150-00100	27515	50	14	33	E 1/2	0.06
010-2710-01270	30331	50	14	5	E 1/2 OF E 1/2 OF SW 1/4 OF SW 1/4	10
010-2710-01330	30332	50	14	5	E 1/2 OF E 1/2 OF SE 1/4 OF SW 1/4	10
010-2710-01340	30333	50	14	5	W 1/2 OF E 1/2 OF SE 1/4 OF SW 1/4	10
010-2710-08110	30470	50	14	32	THAT PART OF W 8 AC OF N 16 ACRES OF W 1/2 OF NW 1/4 LYING SWLY OF THE SWLY LINE OF HERMANTOWN ROAD EX THAT PART WITHIN 150 FT OF THE NWLY LINE OF LOT 13 BLK 1 PIEDMONT DIV AND EX WLY 100 FT	2.02
→ 010-3260-00090	31257	49	15	1	LOTS 9 THRU 13	0.36
317-0220-01080	39791	62	14	13	LOTS 12-22 BLOCK 5 VERMILION TRAIL LODGE	0.77
317-0220-01190	39792	62	14	13	LOT 1 BLOCK 6 VERMILION TRAIL LODGE	0.07
317-0220-01200	39793	62	14	13	LOT 2 BLOCK 6 VERMILION TRAIL LODGE	0.07
317-0220-01210	39794	62	14	13	LOT 3 BLOCK 6 VERMILION TRAIL LODGE	0.07
317-0220-01220	39795	62	14	13	LOTS 4 THRU 10 INC BLOCK 6 VERMILION TRAIL LODGE	0.5
317-0220-01290	39796	62	14	13	LOTS 11 AND 12 BLOCK 6 VERMILION TRAIL LODGE	0.12
317-0220-01310	39797	62	14	13	LOTS 13 THRU 20 BLOCK 6 VERMILION TRAIL LODGE	0.56
317-0220-01390	39798	62	14	13	LOTS 1 THRU 12 INC BLOCK 7 VERMILION TRAIL LODGE	0.74
317-0220-01510	39799	62	14	13	ALL BLOCK 8 VERMILION TRAIL LODGE	0.5
380-0010-01345	70743	51	16	6	THAT PART OF SW 1/4 OF SE 1/4 LYING SWLY OF WLY HWY R.O.W.	15.6
565-0010-03140	70396	60	14	20	SE1/4 NW1/4	40
570-0010-00370	46703	57	15	3	SW1/4 NE1/4	40
697-0010-00520	49472	62	17	5	SE 1/4 OF SE 1/4	40

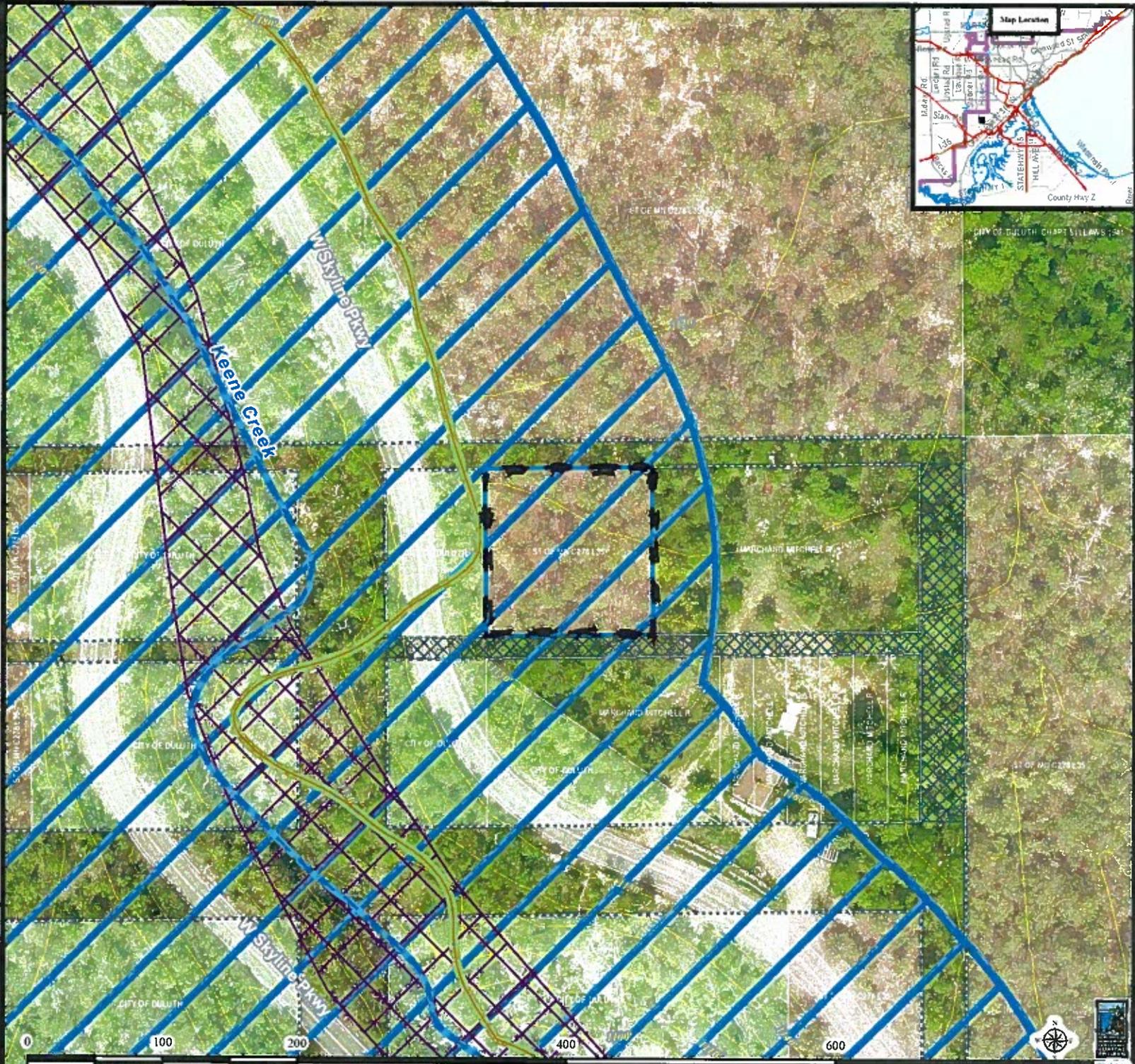
VH
DH



Legend

- Water Distribution System**
 - 30 - 60" Water Pipe
 - 16 - 24" Water Pipe
 - 4 - 6" Water Pipe
- Sanitary Sewer Collection System**
 - Sanitary Sewer Collector
 - Sanitary Sewer Interceptor
 - Sanitary Sewer Forced Main
- Storage Basin**
 - Storage Basin
- Pump Station**
 - Pump Station
- Gas Distribution Main**
 - 8" - 16" Gas Pipes
 - 4" - 6" Gas Pipes
 - 0" - 4" Gas Pipes
- Storm Sewer Collection System**
 - Storm Sewer Pipe
 - Storm Sewer Catch Basin
 - Discharge Points
- Stream (GPS)**
 - Trout Stream (GPS)
 - Other Stream (GPS)
- Wetlands (NRRI)**
 - Wetlands (NRRI)
- 10' Contour (elev. change)**
 - 10' Contour (elev. change)
- Right-of-Way Type**
 - Road or Alley ROW
 - Vacated ROW
- Easement Type**
 - Utility Easement
 - Other Easement
- Shoreland Overlay Zone**
 - Cold Water
 - Natural Environment
 - General Development
- Floodplain Type**
 - General Flood Plain
 - Flood Way
 - Flood Fringe

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.





CITY OF DULUTH
Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197
Phone: 218/730.5580 Fax: 218/723-3559

STAFF REPORT

File Number	FN 11-052	Contact	Steven Robertson
Application Type	Tax Forfeited Land Reclassification	Planning Commission Date	May 10, 2011
Deadline for Action	Application Date	April 15, 2011	60 Days N/A
	Date Extension Letter Mailed	N/A	120 Days N/A
Location of Subject	Various (See Attachments)		
Applicant	St. Louis County Land Department	Contact	Karen Zeisler
Agent		Contact	
Legal Description	Various (See Attachments)		
Site Visit Date	N/A	Sign Notice Date	N/A
Neighbor Letter Date	N/A	Number of Letters Sent	N/A

Proposal

Reclassification from Conservation to Non-Conservation and sale of 6 parcels throughout the city by the Saint Louis County Board. See "Summary of Code Requirements" below for more information.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject			
North			
South			
East			
West			

Summary of Code Requirements (reference section with a brief description):

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. These parcels 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 a City Council 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.

VIII 101

Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):

Governing Principles: Principle #2 - Declare the necessity and secure the future of undeveloped places, Principle #5 - Strengthen neighborhoods, Principle #6 - Reinforce the place-specific, Principle #9 - Support private actions that contribute to the public realm.

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

The list of parcels that have been reclassified to "Non-Conservation" and proposed for sale by the County Board; the City has 60 days to respond. City Planning Staff have a meeting scheduled with staff from Engineering, Parks and Recreation, and Facilities Management on Wednesday, May 4, 2011, to review the information and make preliminary comments. There will be a "Tax Forfeit Land Sub-committee" meeting on Tuesday, May 10, at 4:00 pm for the members of the sub-committee to review the maps and the comments from City Staff. These recommendations will be shared with the Planning Commission at their regular meeting at 5:00 pm.

After reviewing the information on the 6 parcels on the list, the Planning Commission will need to make a motion recommending to the City Council that it oppose the "Non-Conservation" reclassification for the parcels that do have a public purpose for it; the remaining parcels that do not have a public purpose will then be eligible for possible sale.

Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Staff recommends that the Planning Commission recommend that the City Council oppose the reclassification of some of the 6 parcels reclassified "Non-Conservation" by the County Board and listed in the notice received by the City on 04/20/2011. Those parcels and reasons to be identified during the Planning Commission meeting of May 10th, 2011.

VIII D2

Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)



Saint Louis County

Land Department • 320 West 2nd Street, Room 607, Gov't. Serv. Cntr. • Duluth, MN 55802
Phone: (218) 726-2606 • Fax: (218) 726-2600

Robert L. Krepps
Land Commissioner

April 15, 2011

Mark E. Reed
Deputy Land Commissioner

City of Duluth
Jeff Cox, Clerk
330 City Hall
Duluth, MN 55802

Re: Reclassification of State tax forfeited lands. Board Resolution #616, dated 12/21/10

Dear City Clerk:

The St. Louis County Board of Commissioners has completed the reclassification of State tax forfeited properties to non-conservation. Under Minn. Stat. 282.01, once the County Board has classified or reclassified and listed the property, each city or town in which their property is located must have the opportunity to approve the reclassification and listing for properties within their jurisdiction.

The goals of the reclassification and listing process are: 1) to encourage the most economical and efficient use of the property for transportation, roads, water supply, drainage, sanitation, education, and recreation; 2) to reduce local and state government expenses; 3) to conserve and develop the state's natural resources; and 4) to encourage both agricultural and nonagricultural economic development in the areas of the state best suited for each.

If your council or board disagrees with the reclassification of any parcel(s), please provide detailed information on the attached form number LD.Disapproval.9/02, setting forth the rationale and statutory basis for such disapproval.

If your municipality wishes to acquire any parcel(s) listed, please complete the form number LD.withhold.9/02, to withhold the property from sale for up to six months while your municipality completes the acquisition of the property. This application must be received within 60 days of the date of this letter. After six months and absent acquisition of the property by the municipality, the County will be free to sell the property.

Please respond with any of your concerns within 60 days. If no response is received within that time period, the submitted reclassification and listing will be deemed approved.

Sincerely,

Karen Zeisler
Tax Forfeited Land Coordinator

KZ/pb





Resolution
of the
Board of County Commissioners
St. Louis County, Minnesota
Adopted on: April 12, 2011 Resolution No. 175
Offered by Commissioner: Dahlberg

WHEREAS, the parcels described here forfeited to the State of Minnesota on November 30, 2010, for nonpayment of real estate taxes; and

WHEREAS, 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 as 'conservation' or 'non-conservation' as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, the Land Department has recommended that the parcels be classified as 'non-conservation' after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, the forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, the classification of the parcels described here will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 59243 as 'non-conservation', and a notice of the classification shall be transmitted by the Land Department to the clerks of the municipalities or towns in which the parcels are located.

Commissioner Dahlberg moved the adoption of the Resolution and it was declared adopted upon the following vote:

Yeas - Commissioners Dahlberg, Forsman, Nelson, Raukar, and Chair O'Neil - 5

Nays - None

Absent - Commissioners Jewell and Sweeney - 2

STATE OF MINNESOTA
Office of County Auditor, ss.
County of St. Louis

I, DONALD DICKLICH, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 12th day of April, A.D. 2011, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 12th day of April, A.D., 2011.

DONALD DICKLICH, COUNTY AUDITOR

By

Patricia Mee

Deputy Auditor/Clerk of County Board

