

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

13-023-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 10198 EXTENDING THE CLOSING DATE AND CORRECTING THE LEGAL DESCRIPTION RELATING TO THE SALE OF THE ENDION STATION.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Ordinance No. 10198 is hereby amended to extend until June 1, 2013, the date by which the closing on the sale to Old City Hall, LLC of the property legally described below (the Endion Station) must occur after which time said ordinance authorizing the sale shall be null and void.

Section 2. That Ordinance No. 10198 is hereby further amended to correct the legal description of the property to be conveyed by replacing it with the following:

That part of Lots 30 and 31, Block 1, INDUSTRIAL DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, described as follows:

Commencing at the Southwest corner of said Lot 30; thence on an assumed bearing of North 15 degrees 55 minutes 39 seconds West, along the Southwest line of said Block 1, a distance of 25.63 feet; thence North 15 degrees 55 minutes 39 seconds West, along said Southwest line of Block 1, a distance of 50.00 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 42.65 feet to the point of beginning of the property to be described; thence North 75 degrees 01 minutes 17 seconds East, a distance of 85.07 feet; thence South 14 degrees 58 minutes 43 seconds East, a distance of 8.47 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 10.71 feet; thence South 14 degrees 58 minutes 43 seconds East, a distance of 13.88 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 11.52 feet; thence South 14 degrees 58 minutes 43 seconds East, a distance of 27.65 feet; thence

South 75 degrees 01 minutes 17 seconds West, a distance of 130.11 feet; thence North 10 degrees 58 minutes 48 seconds West , a distance of 24.77 feet; thence North 24 degrees 50 minutes 11 seconds East a distance of 32.92 feet to the point of beginning and there terminating.

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

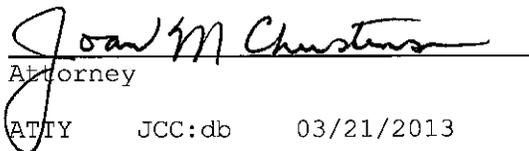
Approved:


Department Director

Approved for presentation to council:


Chief Administrative Officer

Approved as to form:

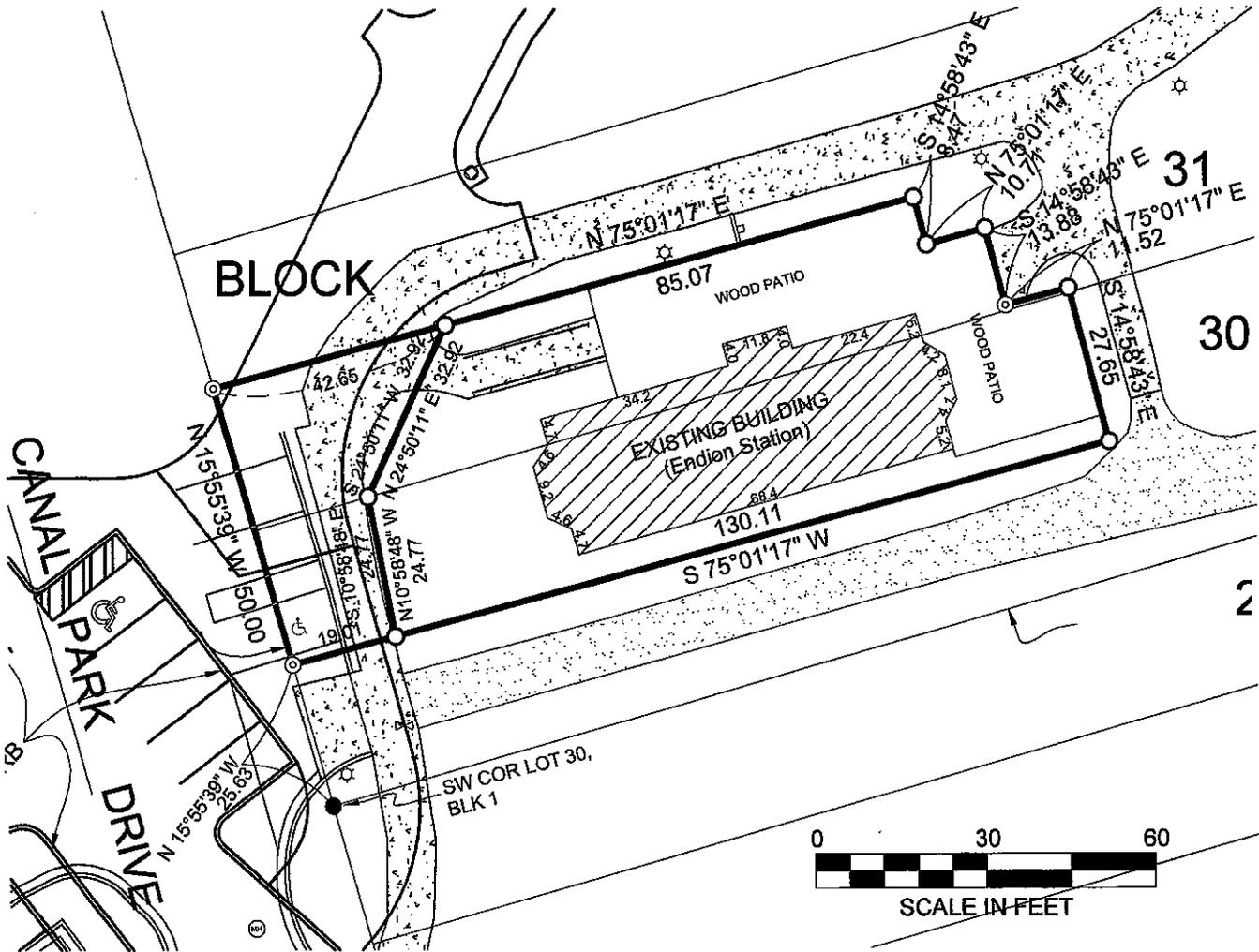

Attorney
ATTY JCC:db 03/21/2013

Approved:


Auditor

STATEMENT OF PURPOSE: Ordinance No. 10198 authorized the sale of Endion Station to Old City Hall, LLC. Per its provisions, the Ordinance becomes null and void if the closing on the sale of the property does not take place on or before April 1, 2013. The purchaser has requested two additional months to line up the financing for the sale. This amendment extends the closing date until June 1, 2013. It also corrects an error in the legal description of the property.

CERTIFICATE OF SURVEY FOR: CITY OF DULUTH



LEGAL DESCRIPTION

That part of Lots 30 and 31, Block 1, INDUSTRIAL DIVISION OF DULUTH, according the recorded plat thereof, St. Louis County, Minnesota, described as follows:

Commencing at the Southwest corner of said Lot 30; thence on an assumed bearing of North 15 degrees 55 minutes 39 seconds West, along the Southwest line of said Block 1, a distance of 25.63 feet; thence North 15 degrees 55 minutes 39 seconds West, along said Southwest line of Block 1, a distance of 50.00 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 42.65 feet to the point of beginning of the property to be described; thence North 75 degrees 01 minutes 17 seconds East, a distance of 85.07 feet; thence South 14 degrees 58 minutes 43 seconds East, a distance of 8.47 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 10.71 feet; thence South 14 degrees 58 minutes 43 seconds East, a distance of 13.88 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 11.52 feet; thence South 14 degrees 58 minutes 43 seconds East, a distance of 27.65 feet; thence South 75 degrees 01 minutes 17 seconds West, a distance of 130.11 feet; thence North 10 degrees 58 minutes 48 seconds West, a distance of 24.77 feet; thence North 24 degrees 50 minutes 11 seconds East a distance of 32.92 feet to the point of beginning and there terminating.

Together with & Subject to: An easement for Street and Utility purposes lying over, under and across that part of Lots 30 and 31, Block 1, INDUSTRIAL DIVISION OF DULUTH, according the recorded plat thereof, St. Louis County, Minnesota, described as follows:

Commencing at the Southwest corner of said Lot 30; thence on an assumed bearing of North 15 degrees 55 minutes 39 seconds West, along the Southwest line of said Block 1, a distance of 25.63 feet to the point of beginning of the easement to be described; thence North 15 degrees 55 minutes 39 seconds West, along said Southwest line of Block 1, a distance of 50.00 feet; thence North 75 degrees 01 minutes 17 seconds East, a distance of 42.65 feet; thence South 24 degrees 50 minutes 11 seconds West, a distance of 32.92 feet; thence South 10 degrees 58 minutes 48 seconds East, a distance of 24.77 feet; thence South 75 degrees 01 minutes 17 seconds West, a distance of 19.01 feet to the point of beginning and there terminating.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Ronald L. Krueger
Ronald L. Krueger MN License No. 14374

ALTA
SURVEY COMPANY, INC.
 Residential/Commercial Land Surveying-Land
 Development-Legal Descriptions
 P.O. BOX 181138 Duluth, MN 55806
 Phone: 218-727-5211 Fax: 218-727-3798

DATE: 3-21-13
 SCALE: 1 IN = 30 FEET
 PROP ADD:
 PROJECT NO: 12-018

