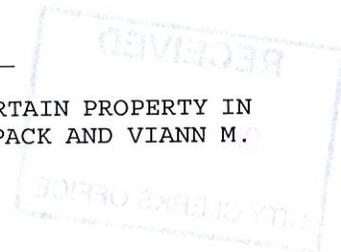


PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

13-069-0

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY IN THE IRVING NEIGHBORHOOD TO NORMAN M. OPACK AND VIANN M. RASK FOR \$17,724.



CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That pursuant to Section 2-176 of the Duluth City Code, 1959, as amended (the Code), the city council finds that:

(a) City Resolution 13-5146 approved the sale or conveyance of certain property in the Irving neighborhood;

(b) As per Section 2-178, of the Duluth City Code, 1959, as amended (the Code), if, due to existing laws or regulations, no building can legally be constructed on a parcel, the city may directly sell such parcel by ordinance to an adjacent owner or adjacent owners without competitively bidding but at a price at least equal to its market value as determined by the city assessor;

(c) The manager of the city's physical planning division has reviewed the parcels in question and determined that due to existing conditions, no building can be legally constructed on it;

(d) As per Section 2-176(c) of the Code, the county assessor has provided an estimate of the market value to be \$17,724;

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

Section 2. That the proper city officials are hereby authorized to sell and convey the following described property in St. Louis County, Minnesota, by quit claim deed, to Norman M. Opack and ViAnn M. Rask, husband and wife, as joint tenants, for the amount of \$17,724 to be deposited into Fund 110 (general), Agency 700 (transfers and other functions), Organization 1420 (capital programs), Object 4640 (sale of land), and further to execute all documents necessary with regard to said conveyance:

Block 21, Lots 1, 2, 31 and 32 and Block 20, Lots 1 and 2 of Hunter and Markell's Grassy Point Addition to Duluth, including those portions of vacated 69th Avenue West, 69th Avenue West Alley adjoining said lots and the east half of vacated 70th Avenue West adjoining Block 21, Lots 31 and 32 of Hunter and Markell's Grassy Point Addition to Duluth, St. Louis County, Minnesota.

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

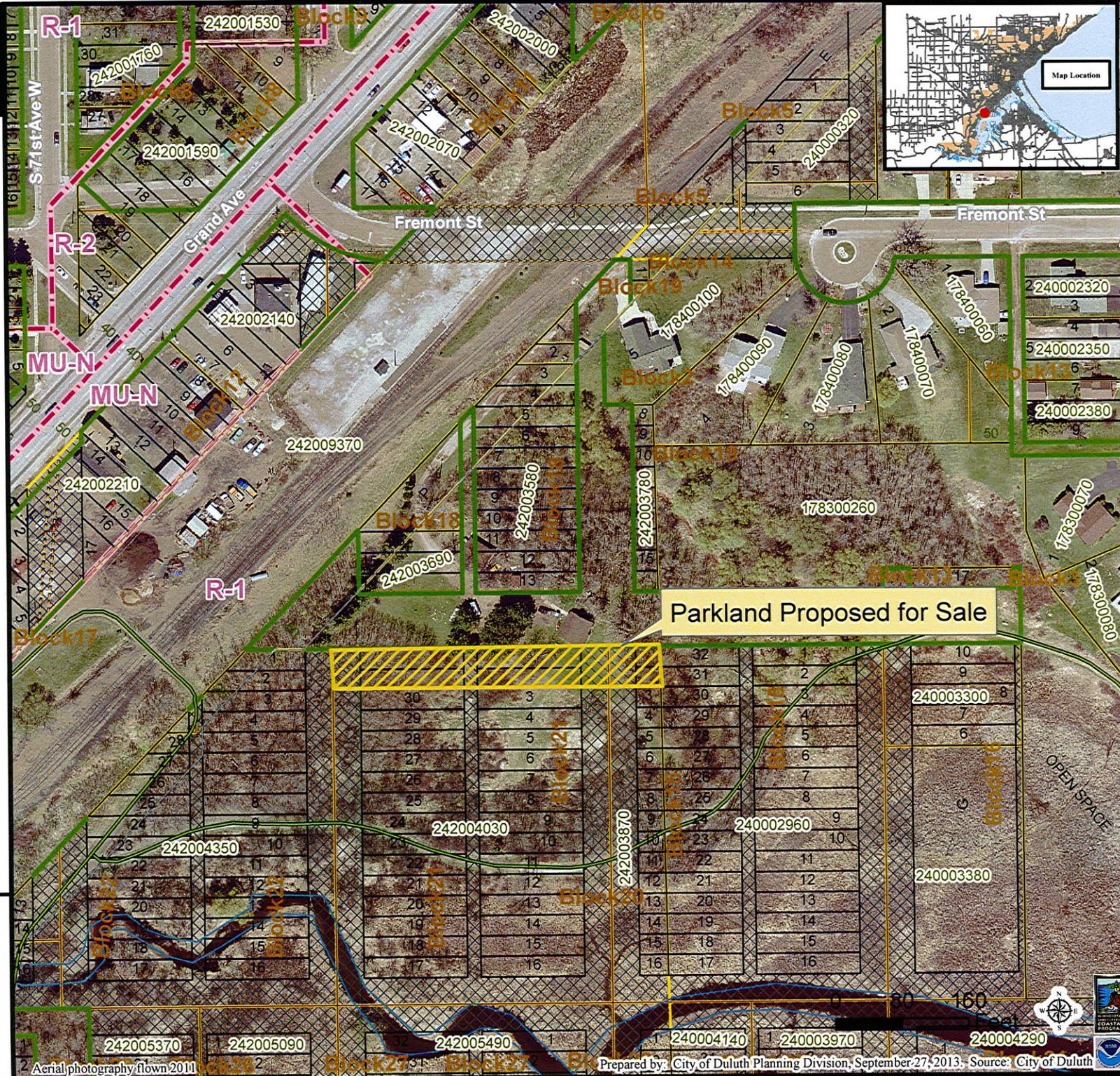
Approved as to form:

  
\_\_\_\_\_  
Attorney

PC/PLNG    CF:cs    10/28/2013

STATEMENT OF PURPOSE: This ordinance is to authorize the sale of property in the Irving neighborhood to Norman M. Opack and ViAnn M. Rask, adjacent property owners (purchasers). The director of the department of planning and construction services has reviewed the proposed conveyance and found the conveyance to be in conformity with the city's comprehensive land use plan. The planning department's review of the property also determined that due to existing conditions, no building can be legally constructed on it; therefore, under Section 2-178 of the Duluth City Code, the city is allowed to sell property to an adjacent property owner without competitively bidding. The property does not have legal frontage for future development and thus is not developable under current zoning. The parks and recreation commission have determined that the property is not needed for park or recreation purposes. The proposed sale of the property will allow the purchasers, who inadvertently developed these lands, to take legal control over most of the improvements made. The purchasers will need to vacate Natchez Street in order to finalize steps necessary to control improvements made. The county assessor has provided an estimate of the market value of the property to be \$17,724.

Tax base impact statement: The purchase of this lot by Mr. Opack and Ms. Rask will place it back on the tax rolls. It is anticipated tax revenues will be minimal.



**Legend**

**Other Trails (City & DNR) Type**

- Multi-Purpose
- Hiking
- X-Country
- Biking / X-Country
- Biking
- Snowmobile
- HorseBack

**ROW STATUS**

- Vacated ROW

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