

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

14-014-O

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE DIRECT SALE OF CERTAIN PROPERTY IN THE SPIRIT VALLEY NEIGHBORHOOD TO PETER SENICH FOR \$10,700.00 SUBJECT TO RETENTION OF AN EASEMENT.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1.

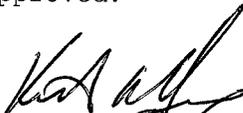
- (a) Pursuant to city resolution 14-0054R, the City Council stated its intention to sell or convey certain property in the Spirit Valley Neighborhood, specifically, Lot E, Block 39, Hunter & Markell's Grassy Point Addition to Duluth, including riparian rights, St. Louis County, Minnesota, subject to an easement for public park recreational area purposes (the "Property").
- (b) 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 this proposed conveyance and found it to be in conformity with the city's comprehensive land use plan.
- (c) The manager of the city's physical planning division has also determined that under existing law, no building can legally be constructed on the Property and therefore, the direct sale at market value by ordinance to Peter Senich as adjacent owner is authorized pursuant Section 2-178 of the Code.
- (d) As per Section 2-176(c) of the Code, the county assessor has provided a written estimate of the market value of the Property to be \$10,700.00.
- (e) The Property is hereby determined to be surplus to the city's future needs and is therefore appropriate for sale pursuant to Article XXXIII of Chapter 2 of the Code.

Section 2. That, subject to the conveyance of an easement by Peter Senich over Lot 13, Block 39, Hunter & Markell's Grassy Point Addition to Duluth, St. Louis County, Minnesota, for public park recreational area purposes, 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 Peter Senich for the amount of \$10,700.00 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:

Lot E, Block 39, Hunter & Markell's Grassy Point Addition to Duluth, including riparian rights, subject to retention of an easement for public park recreational area purposes, except for the use of motorized recreational vehicles, specifically for the construction and maintenance of an 8 foot wide, surfaced hiking, biking and skiing trail and cuts and fills necessary thereto, in, under, over, upon, and across that part of Lot E, Block 39, Hunter & Markell's Grassy Point Addition to Duluth which falls southerly of the following described line: beginning at the northwest corner of Lot 13, of said Block 39; thence southeasterly to a point on the east line of Lot E, of said Block 39, said point being 65 feet south of the northeast corner of said Lot E and there terminating.

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

Approved:



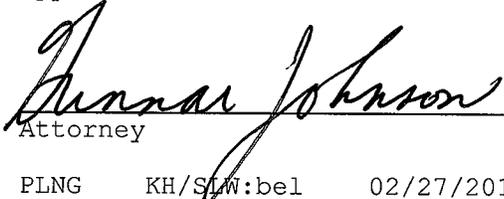
Department Director

Approved for presentation to council:



Chief Administrative Officer

Approved as to form:



Attorney

Approved:



Auditor

PLNG KH/SLW:bel 02/27/2014

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize the sale of a parcel of property in the Spirit Valley neighborhood to Peter Senich, for \$10,700.00. Mr. Senich contacted the city with a request to purchase the property. The city planning department's review of the parcel determined that no building can be legally constructed on it, and therefore, under section 2-178 of the Duluth City Code, the city is allowed to sell it directly to Mr. Senich. The City is retaining an easement for the Western Waterfront Trail. Additionally, the authorization to convey the property is subject to Mr. Senich providing an easement for trail purposes on an adjacent parcel. The companion resolution authorizing the acceptance of the trail easement is Resolution No. 14-0107R.

Tax base impact statement: The purchase of this lot by Mr. Senich will place it back on the tax rolls. It is anticipated tax revenues will be minimal because it is an unbuildable lot.