

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

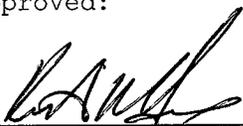
14-0107R

RESOLUTION ACCEPTING CONVEYANCE OF AN EASEMENT FROM
PETER SENICH FOR THE WESTERN WATERFRONT TRAIL.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to accept the conveyance from Peter Senich of an easement for public park recreational area purposes, except for the use of motorized recreational vehicles, substantially in the form of that on file with the city clerk as Public Document No. _____ for the Western Waterfront trail at no cost to the city.

Approved:



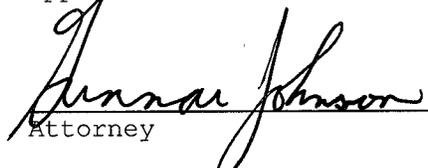
Department Director

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 resolution is to accept the conveyance of an easement from Peter Senich for the Western Waterfront trail ("Trail"). During the process of selling the adjacent Outlot E to Mr. Senich, it was discovered that the City does not have an easement for that portion of the Trail which runs across Lot 13 owned by Mr. Senich. See attached document. Mr. Senich has agreed to convey an easement over Lot 13 for public park recreational area purposes at no cost to the City. The companion Ordinance authorizing the sale of Outlot E to Mr. Senich is Ordinance No. 14-014-0.

EASEMENT AGREEMENT

This Indenture is entered into this ___ day of _____, 2014, by and between Peter Senich, a single person, (“Grantor”).

Whereas, Grantor is the owner of the property in St. Louis County, Minnesota, legally described as follows (the “Property”):

Lot 13, Block 39, HUNTER & MARKELL’S GRASSY POINT ADDITION TO
DULUTH

and;

Whereas, Grantor wishes to convey to the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota, (“Grantee”), an easement described below for public park recreational area purposes over the Property at no cost to Grantee.

NOW THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain and convey to Grantee, its successors and assigns, forever, 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 biking, hiking and skiing trail, and cuts and fills necessary thereto, in, under, over, upon and across the Property in St. Louis County, Minnesota, the location of which easement is more particularly described as follows:

That part of Lot 13, Block 39, Hunter & Markell’s Grassy Point Addition to Duluth which falls southerly of the following described line: beginning at the northwest corner of said 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.

The easement intended to be granted is shown on Exhibit A attached hereto and made a part hereof.

Grantor

Peter Senich

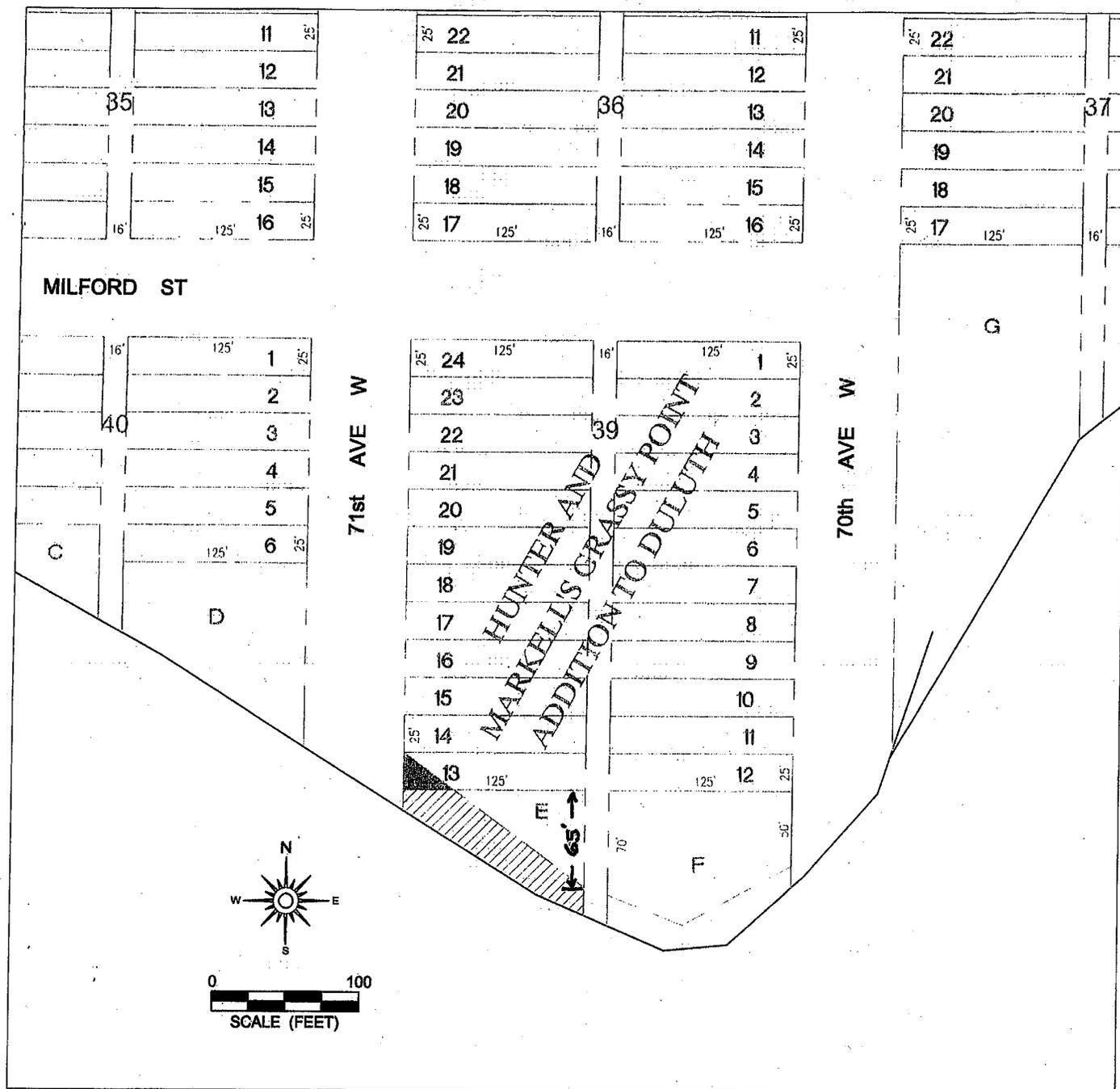
STATE OF MINNESOTA)
) ss.
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Peter Senich, a single person, Grantor.

This instrument drafted by:

Joan M. Christensen
Assistant City Attorney
411 W. 1st Street
410 City Hall
Duluth, MN 55802

EXHIBIT A



PLAT SHOWING LOT 13 AND DEDICATION OF PUBLIC TRAIL EASEMENT IN LOT 13, BLOCK 39, HUNTER AND MARKELL'S GRASSY POINT ADDITION TO DULUTH.

THE PORTION TO BE DEDICATED IS SHOWN  ON THE ABOVE PLAT.

CITY ENGINEER

DATE