

**PUBLISHED MARCH 27, 2014**

**OFFICIAL PROCEEDINGS**

Excerpt from the minutes of the Duluth City Council meeting held on Monday, March 24, 2014, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

**ORDINANCE NO. 10287**

**AN ORDINANCE AUTHORIZING THE DIRECT SALE OF CERTAIN PROPERTY IN THE SPIRIT VALLEY NEIGHBORHOOD TO PETER SENICH FOR \$10,700 SUBJECT TO RETENTION OF AN EASEMENT.**

The city of Duluth does ordain:

Section 1.

(a) Pursuant to City Resolution 14-0054, 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;

(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 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 eight 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. (Effective date: April 26, 2014)

Councilor Russ moved passage of the ordinance and the same was adopted upon the following vote:

Yeas: Councilors Filipovich, Fosle, Gardner, Hanson, Julsrud, Larson, Russ, Sipress and President

Krug-- 9

Nays: None -- 0

ATTEST:  
JEFFREY J. COX, City Clerk

Passed March 24, 2014  
Approved March 24, 2014  
DON NESS, Mayor