

PUBLISHED JUNE 24, 2014

OFFICIAL PROCEEDINGS

Excerpt from the minutes of the Duluth City Council meeting held on Monday, June 23, 2014, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

ORDINANCE NO. 10310

**AN ORDINANCE PERMANENT EASEMENT CONVEYANCE
AGREEMENT WITH WLSSD OVER CITY PROPERTY NEAR I-35 AND
HIGHWAY 2.**

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) The manager of the city's physical planning division has reviewed the proposed conveyance of the easement over city property herein described (the "easement") to the Western Lake Superior Sanitary District (the "district") and found conveyance thereof to be in conformity with the city's comprehensive land use plan;

(b) The St. Louis County assessor, acting as city assessor, has provided an estimate of the market value of the easement to be de minimus;

(c) The easement described in Section 2 below is hereby determined to be surplus to the city's future needs and is therefore appropriate for sale;

Section 2. That as provided for in Section 2-177.3 of the Code, the council finds that the needs of the district are greater in importance than the need of the city to retain said easement and that the best interests of the citizens of the city will be best served by accomplishing such conveyance.

Section 3. That the proper city officials are hereby authorized to enter into a permanent easement agreement conveying the easement in St. Louis County, Minnesota, legally described in Public Document No. 14-0623-23, on file in the office of the city clerk, by quit claim deed, to the Western Lake Superior Sanitary District, a political subdivision of the state of Minnesota at no cost, and further to execute all documents necessary with regard to said conveyance.

Section 4. That this ordinance shall take effect 30 days after its passage and publication. (Effective date: July 24, 2014)

Councilor Filipovich 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 June 23, 2014
Approved June 23, 2014
DON NESS, Mayor