

PUBLISHED JULY 24, 2014

OFFICIAL PROCEEDINGS

Excerpt from the minutes of the Duluth City Council meeting held on Monday, July 21, 2014, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

ORDINANCE NO. 10320

AN ORDINANCE AUTHORIZING THE DIRECT SALE OF CERTAIN PROPERTY IN THE PIEDMONT HEIGHTS NEIGHBORHOOD TO JEROLD M. AND LINDA S. FORSBERG FOR \$4,600 SUBJECT TO RETENTION OF AN EASEMENT.

The city of Duluth does ordain:

Section 1. Pursuant to city Resolution 14-0257, the city council stated its intention to sell or convey certain property in the Piedmont Heights neighborhood, specifically, all of Lot 31, and all that part of Lots 28, 29, and 30 lying north of the dividing line between the N 1/2 and S 1/2 of the NE 1/4 Section 32, Township 50 North of Range 14 in Block 42, Harrison's Brookdale Division of Duluth, St. Louis County, Minnesota, subject to an easement for public park recreational area purposes (the "property").

(a) 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.

(b) 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 Jerold M. and Linda S. Forsberg as adjacent owner is authorized pursuant Section 2-178 of the code.

(c) 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 \$4,600.

(d) 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 Jerold M. and Linda S. Forsberg over Lot 31, Block 42, Harrison's Brookdale Division of 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 Jerold M. and Linda S. Forsberg for the amount of \$4,600 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:

All of Lot 31, and all that part of Lots 28, 29, and 30 lying north of the dividing line between the N 1/2 and S 1/2 of the NE 1/4 Section 32, Township 50 North of Range 14 in Block 42, Harrison's Brookdale Division of Duluth, subject to retention of an easement for public park recreational area purposes, an access trail to Enger Park for foot travel and golf cart use, in, under, over, upon and across the southerly 40.00 feet measured radially from the South line of Lot 31, Block 42, Harrison's Brookdale Division of Duluth.

Section 3. That this ordinance shall take effect 30 days after its passage and publication. (Effective date: August 23, 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 July 21, 2014
Approved July 21, 2014
DON NESS, Mayor