



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Master

File Number: 16-015-O

File ID: 16-015-O

Type: Ordinance

Status: Passed

Version: 1

**Agenda
Section:**

Committee: Public Works and
Utilities

File Created: 03/04/2016

Subject:

Final Action: 03/28/2016

Title: AN ORDINANCE DEDICATING EASEMENTS FOR UTILITY PURPOSES ON CITY-OWNED
PROPERTY NORTH OF 45TH AVENUE WEST.

Internal Notes:

Sponsors:

Enactment Date: 03/28/2016

Attachments: Sanitary easement(1), Exhibit B

Enactment Number: 10444

Recommendation:

Drafter: jhorn@duluthmn.gov

Hearing Date:

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	03/14/2016	read for the first time				
1	City Council	03/28/2016	adopted as amended				Pass

Text of Legislative File 16-015-O

AN ORDINANCE DEDICATING EASEMENTS FOR UTILITY PURPOSES ON
CITY-OWNED PROPERTY NORTH OF 45TH AVENUE WEST.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the city of Duluth does hereby dedicate to the general public perpetual easements for utility purposes over that portion of vacated West Fourth Street, Lots 1 through 4 and Lot 9, Block 8, Grand Central Division of Duluth, and Lot 16, Block 76, Oneota Duluth, in St. Louis County, Minnesota, legally described below and as depicted on the maps attached as Exhibit A and Exhibit B:

That part of the vacated West 4th Street dedicated in Grand Central

Division of Duluth, according to the recorded plat thereof, bounded on the northeast by the northwesterly projection of the northeast line of Lots 1 - 4, Block 8 of said Grand Central Division, bounded on the southwest by the northwesterly projection of a line parallel and distant 16.00 feet southwest of the northeast line of said Lots 1 - 4, bounded on the northwest by the center line of said West 4th Street;

The southwesterly 11.00 feet of the northeasterly 16.00 feet of said Lots 1 -4;

That part of Lot 9 of said Block 8 and also in that part of vacated 45th Avenue West dedicated in Oneota Duluth, according to the recorded plat thereof, bounded on the northeast by the southeasterly projection of a line parallel and distant 5.00 feet southwest of the northeast line of said Lots 1 - 4, bounded on the southwest by the southeasterly projection of a line parallel and distant 16.00 feet southwest of the northeast line of said Lots 1 - 4, and bounded on southeast by the northwest right of way line of Grand Avenue as platted in said Oneota Duluth;

That part of vacated W 4th St and Lots 1-4 and Lots 10-11, Block 8 Grand Central Division of Duluth and Lot 16, Block 76 Oneota Duluth according to the recorded plats thereof in St. Louis County, within a 30.00 foot easement, 15.00 feet either side of the centerline described as follows:

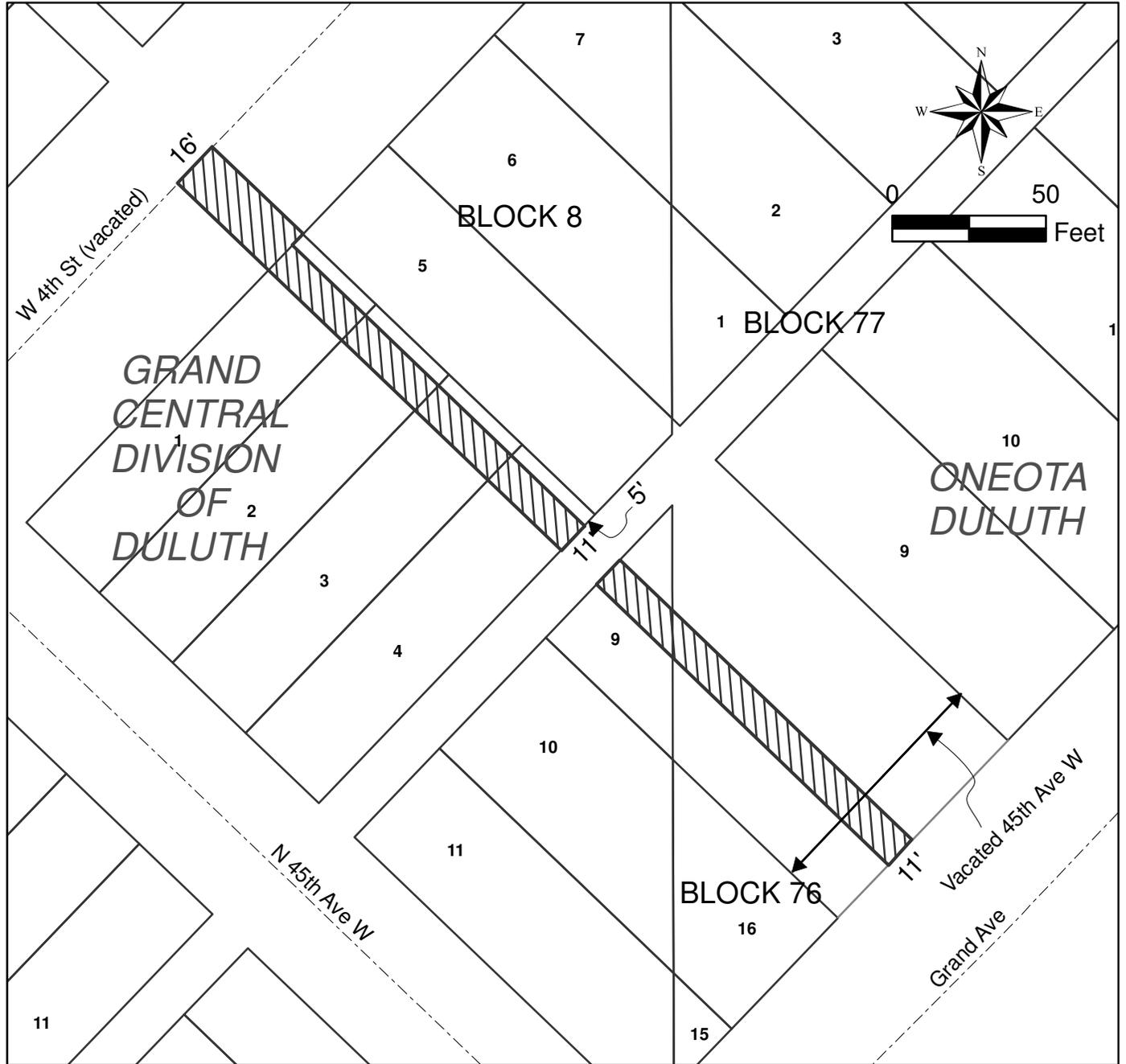
Commencing at the west corner of Lot 1 Block 8 of Grand Central Division of Duluth; thence northwesterly along the northwesterly extension of the southwest line of Block 8 on a bearing of N 46° 12' 54" W a distance of 40 feet; thence northeasterly along the centerline of W 4th St a distance of 26.9 feet to the Point of Beginning of the centerline to be described; thence southeasterly on a bearing of S 54° 02' 54" E for a distance of 350.38 feet to the southeast line of said Lot 16, Block 76 Oneota Duluth, and there terminating.

The sidelines of said right of way shall be shortened or lengthened to terminate at the boundaries of the centerline of vacated W 4th St, the southeasterly boundary of Lot 4, the northwesterly boundary of Lots 10 & 11 of Block 8, all in Grand Central Division of Duluth, and the southeasterly boundary of Lot 16, Block 76, Oneota Duluth.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: The purpose of this ordinance is to dedicate utility easements across city-owned property near Denfeld High School. A community greenhouse project is to be constructed at this location. Upon review of the site plan it was determined that this would be a good opportunity to dedicate necessary utility easements. The city is also pursuing obtaining easements from ISD 709. Those easements will be separate agenda items in the future.

Exhibit A

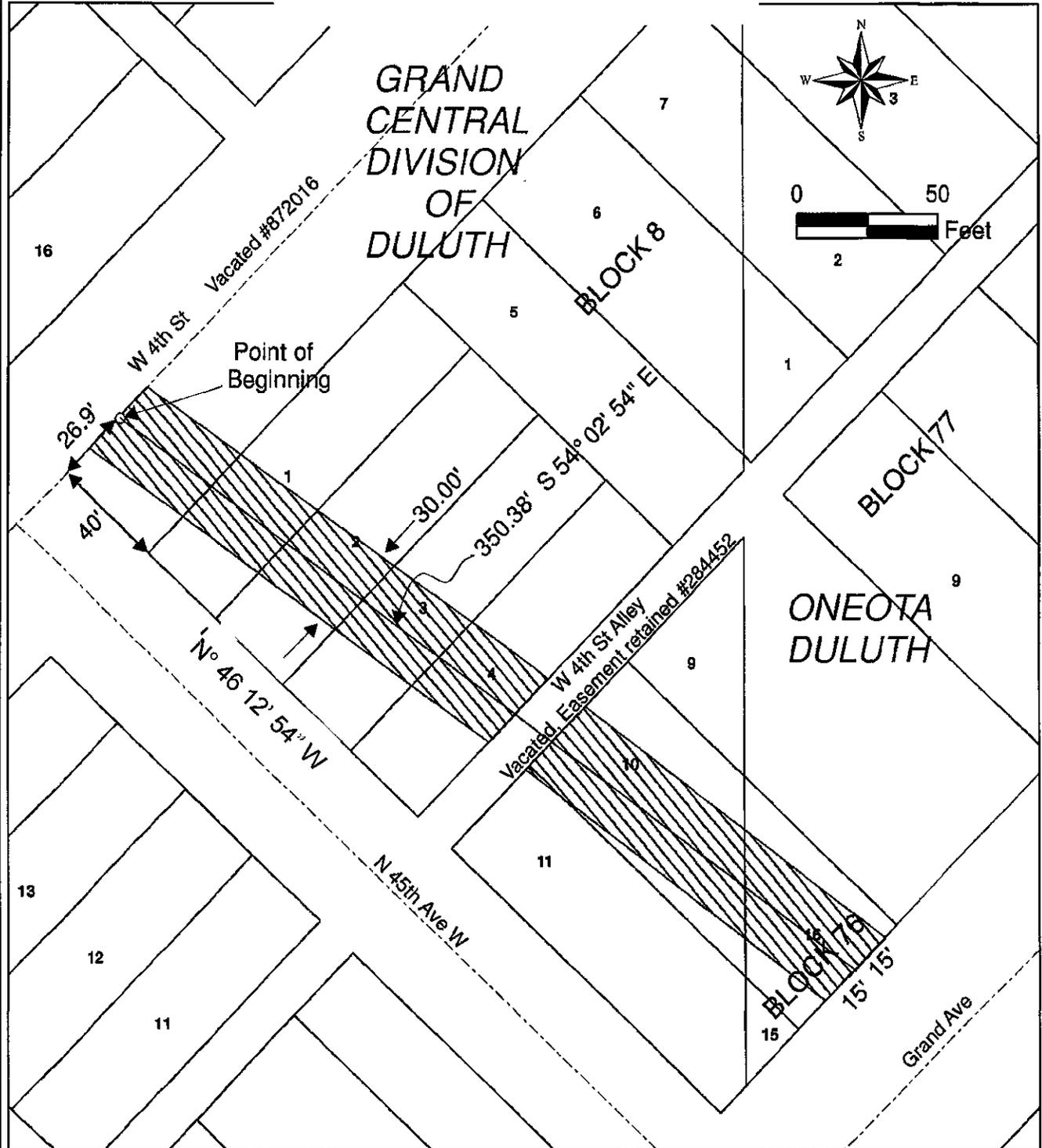


Proposed Utility Easement

APPROVED BY CITY ENGINEER

DATE

Exhibit B



Proposed Utility Easement

APPROVED BY CITY ENGINEER

DATE