Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802

218-730-5580
planning@duluthmn.gov

File Number	PL 22-229	**Contact**	Steven Robertson	
Type	Minor Subdivision	**Planning Commission Date**		January 10, 2023
Deadline for Action	**Application Date**	Dec 5, 2022	**60 Days**	Feb 3, 2023
	Date Extension Letter Mailed	December 19, 2022	**120 Days**	April 4, 2023
Location of Subject	2011 West 2nd Street and 2015 West 3rd Street (Midtown Manor I and II)			
Applicant	Jake Morgan, HRA	**Contact**		
Agent		**Contact**		
Legal Description	See Attached			
Site Visit Date	December 22, 2022	**Sign Notice Date**	N/A	
Neighbor Letter Date	N/A	**Number of Letters Sent**	N/A	

Proposal
Applicant is requesting a Minor Subdivision to divide one existing lot into four lots. This separation is requested from the property owner (HRA) to allow them to move forward with a federal housing program.

Recommended Action: Approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Residential	Neighborhood Mixed Use
North	MU-N/R-2	Residential	Neighborhood Mixed Use
South	MU-N/MU-B	Transportation/Commercial	Central Business Secondary
East	R-2	Residential	Neighborhood Mixed Use/Trad. Neigh.
West	MU-N/R-2	Residential	Neighborhood Mixed Use

Summary of Code Requirements

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

50-37.5, D 1. The planning commission shall approve the application if it determines that: (a) The lot or lots to be subdivided or combined have frontage on an improved public street; (b) Each proposed lot meets the minimum zoning requirements of the district that it is in; (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #5 Promote reinvestment in neighborhoods. Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Future Land Use: Neighborhood Mixed Use - A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live -work spaces. May include limited commercial -only space oriented to neighborhood or specialty retail markets.

Review and Discussion Items

1. Applicant is requesting a Minor Subdivision to divide a single lot into four separate lots. All the lots will have frontage on improved public right of way. All the lots will exceed minimum lot area and frontage required by the UDC for lots in the MU-N district.
2. The subdivision is being proposed to help address an administrative requirement with a HUD program, related to Section 8 housing. No new structures or improvements are being proposed at this time as part of the minor subdivision.
3. The proposed minor subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. No other public, agency, or City comments were received.
5. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
6. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days. Applicant must provide the City with proof of recording.

Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

1. Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this adjustment, the Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
2. Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA
222 East Second Street | PO Box 16900
Duluth, MN 55816-0900
Phone: (218) 529-6300 | Fax: (218) 529-6344
MN Relay 7-1-1
www.duluthhousing.com

12/5/2022

City of Duluth
Attn: Planning Department
411 W 1st St.
Duluth, MN 55802

RE: Minor Subdivision Application

Dear City of Duluth Planning Department:

The HRA is requesting approval of a minor subdivision for its Midtowne I and Midtowne II buildings at the corner of 20th Ave. W and 3rd St. The property was formerly separate parcels, and was consolidated into a single parcel at the HRA's request in 2020. However, that consolidation was in error, and the HRA now wishes to separate the parcels as shown on the attached survey and legal descriptions, a change that is necessary for the HRA to move forward with conversion of the units from one federal housing program to another.

Please let me know if you need further information. A check for the application fee for this process will be mailed on Friday, December 9, 2022.

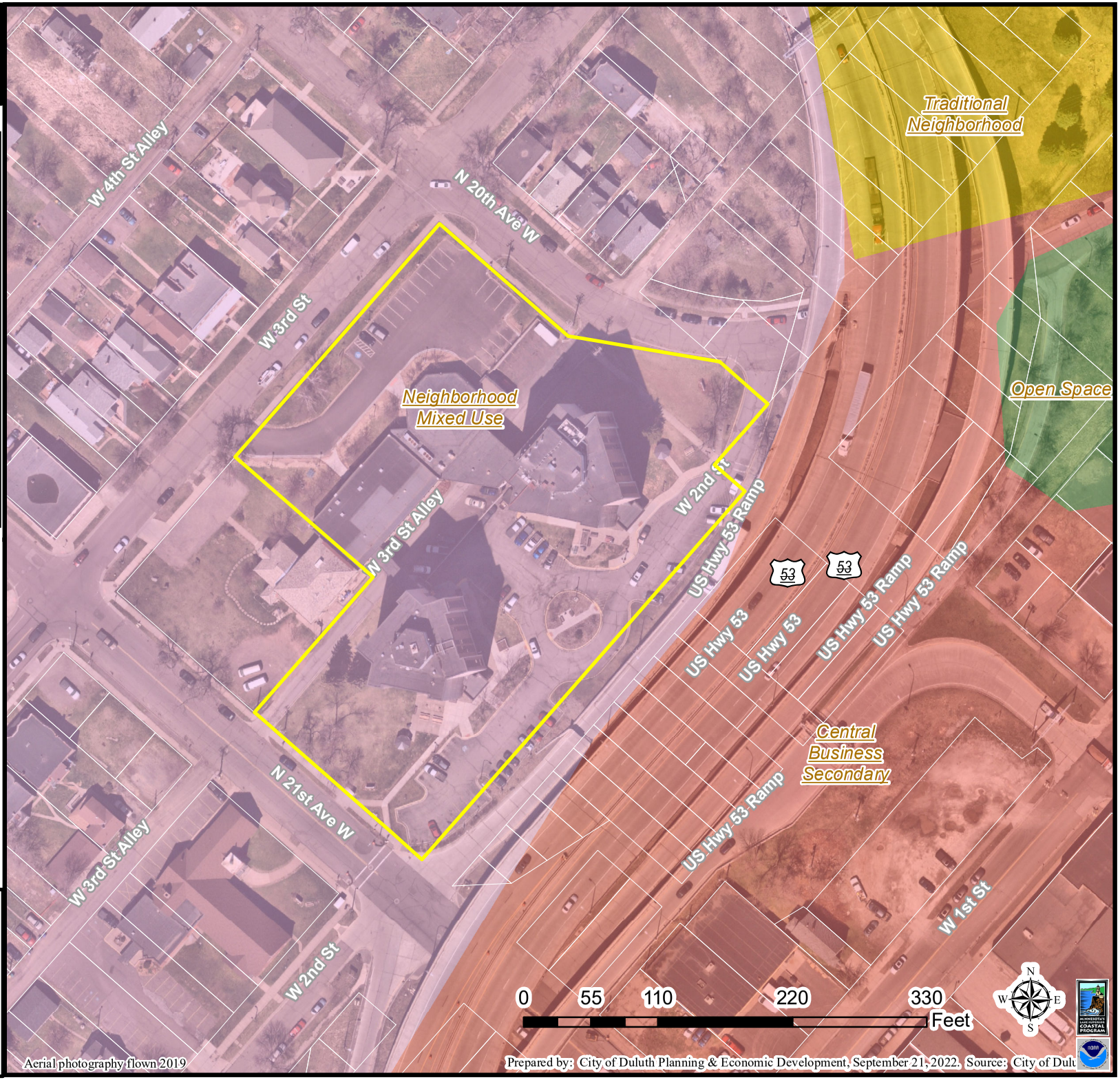
Sincerely,

Jake Morgan
Director of Real Estate and Rehabilitation
Duluth HRA
218-529-6325

PL22-229
Minor Subdivision
2021 W 2nd St

Legend

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional



Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, September 21, 2022. Source: City of Dulu

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

PL22-229
Minor Subdivision
2021 W 2nd St

Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, September 21, 2022, Source: City of Dulu

Legend

Zoning Boundaries

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ALTA/NSPS Land Title Survey

Duluth HRA

part of Block 91, Duluth Proper Second Division
City of Duluth, St. Louis County, MN

LEGEND

- PROPERTY LINE
- SETBACK LINE
- ROW LINE
- BUILDING
- BLOCK LINE
- LOT LINE
- TORRENS PARCEL I
- TORRENS PARCEL II
- ABSTRACT PARCEL
- ROAD AND ALLEY VACATIONS DOCUMENT 437169
- ACCESS EASEMENT DOCUMENT NO. 442576
- ALLEY EASEMENT DOCUMENT NO. 383818
- HIGHWAY EASEMENT DOCUMENT NO. 356030
- RELEASE PER AMENDED WIDTH ORDER No. 81385
- EXTINGUISHMENT OF ACCESS DOCUMENT NO. 355963

CERTIFICATION

To Duluth HRA:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 6b, 8, 11a, 11b, 13, 16, 17, 18, 19, and 20 of Table A thereof. The field work was completed between December 08, 2020 and February 15, 2021.

Date of Plat or Map: December xx, 2022.

PAUL A. VOGEL
Minnesota Professional Land Surveyor No. 44075

SURVEYOR NOTES

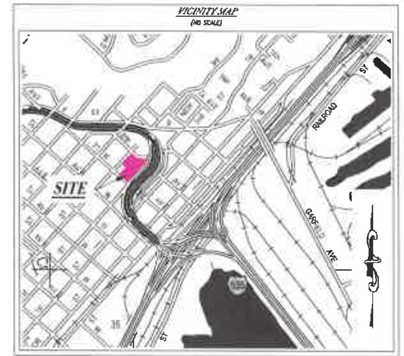
1. Date of survey: December 08, 2020 – February 15, 2021.

Underground utility locations are based upon Gopher State One Call Boundary Survey Ticket Number 210150621 dated January 15, 2021.

and field markings by respective utilities:

Charter communications	(800) 581-0081
City of Duluth	(218) 730-5200
Consolidated Communications	(218) 568-4744
Minnesota Power	(218) 568-4744
Northwest Service Cooperative	(218) 568-4744
Centurylink	(855) 742-6062
Minnesota Department of Transportation	(651) 366-5750

2. Horizontal Datum = St. Louis County Transverse Mercator 1996 (SLCTM 96).
3. Vertical Datum = North American Vertical Datum of 1988 (NAVD 88).
4. No observed evidence of current earth moving work, building construction or building additions.
5. No observed evidence of recent street or sidewalk construction or repairs.
6. No observed evidence of site use as a solid waste dump, sump or sanitary landfill.
7. There are no known delineated wetlands on this site.
8. The west wall of the existing Community Center building encroaches into the adjacent property by 1.32' at the northwest corner and 1.41' at the southwest corner per boundary as described.
9. Trunk Highway Route No. 106, renumbered 53 Right of Way shown hereon is based upon unrecorded Minnesota Commissioner of Transportation Amended Width Order No. 81385 dated December 12, 1995 and originally established under Order No. 65231. Pursuant to Notice of Release letter to the City of Duluth dated December 8, 1980, a portion of the originally established Order No. 65251, was release effective September 30, 1980. This letter included description of the areas to be released as well as highlighted mapping attached. Subsequently a portion of Second Street described in Vacation Document No. 437169 was not released to the City of Duluth and therefore is not vacated.
10. Per Document No. 437169 the City of Duluth retained easements for utility purposes at the time of vacation of the alley and the North one-half of 2nd St.
11. Per Document No. 437169 the City of Duluth retained an easement for utility and pedestrian purposes at the time of the partial vacation of 20th Ave West.
12. Trunk Highway Route No. 106, renumbered 53 Amended Access Order No. 81386 dated December 12, 1995 referencing Amended Width Order No. 81385 (same date) amends taking right of entry to include adjacent lands beginning at the most westerly corner of Lot 355, Block 91, running southeasterly along the southeasterly line of said Lot 335 to the ameded Right of Way line and continues along amended Right of way line as depicted hereon.



LEGAL DESCRIPTION per title commitment

TORRENS PARCEL I (Cert. No. 187186.0)
The Land referred to herein below is situated in the County of St. Louis, State of MN, and is described as follows:
Lot 321 Block 91 Duluth Proper Second Division
Lot 323 Block 91 Duluth Proper Second Division
Lot 325 Block 91 Duluth Proper Second Division
Lot 327 Block 91 Duluth Proper Second Division
Lot 329 Block 91 Duluth Proper Second Division
Lot 331 Block 91 Duluth Proper Second Division
Lot 333 Block 91 Duluth Proper Second Division
Lot 335 Block 91 Duluth Proper Second Division, together with the South half of adjacent vacated alley and together with the North half of adjacent vacated 2nd Street and together with part of vacated 20th Avenue West, from the Northerly line of 2nd Street, Northerly to a line drawn from the Southeasterly corner of Lot 319, Block 91, to a point on the West line of and 50 feet North of the Southwest corner of Lot 319. All in St. Louis County, Minnesota.
AND
TORRENS PARCEL II (Cert. No. 215199.0)
Lot 322 Block 91 Duluth Proper Second Division
Lot 324 Block 91 Duluth Proper Second Division
Lot 326 Block 91 Duluth Proper Second Division
All in St. Louis County, Minnesota.
AND
ABSTRACT PARCEL
Lots 328, 330 and that portion of Lot 332, described as follows: Commencing at the Northwesterly corner of said Lot 332; thence Southwesterly along Northwesterly corner of said Lot 332 a distance of 3.24 feet to a point; thence Southeasterly in a straight line to a point on the Southeasterly line of said Lot 332 to a point that is 2.94 feet Southwesterly of the Northeast corner of said Lot 332; thence Northeasterly along the said Southeasterly line of said lot a distance of 2.94 feet to the Northeasterly corner of said Lot 332; thence Northwesterly along the Northeast line of said Lot 332 to the place of beginning, including the North half of adjacent vacated alley, all in Block 91, Duluth Proper, Second Division, St. Louis County, Minnesota.

SCHEDULE B II - EXCEPTIONS

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records, or attaching subsequent to the Commitment Date but prior to the date the Proposed Insured acquires for value the Title or Mortgage covered by this Commitment.-Not a Survey Item.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. - As Shown on Survey
3. Rights or claims of parties in possession not shown by the Public Records. -Not a Survey Item
4. Easements, or claims of easement, not shown by the Public Records.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records -Not a Survey Item
6. All assessments and taxes due and payable in 2021, and thereafter. -Not a Survey Item
7. Tenancy rights, either as month to month, or by virtue of written leases of persons in possession of any part of the subject property. -Not a Survey Item
8. The following Recital(s) appears in the Certificate of Title, and will be carried forward to any Certificate of Title:
   (Certificate No. 187186.0)
   EXCEPT minerals and reserving mineral rights to the E'ly 1/2 of said Lot 321. -Not a Survey Item
   SUBJECT to Condemnation Plat for easement of slopes on West Second Street from 17th Avenue West to Grand Forks Avenue, recorded in the office of the Register of Deeds, in Book C of Plats, page 331.
   E1/2 of Lot 321, including S1/2 of vacated alley adjoining, Block 91, Duluth Proper Second Division is SUBJECT to easements and servitudes as are incident to the reservation of the mineral estate by the State of Minnesota effected by deed recorded in the office of the Register of Deeds as Document No.89981. SUBJECT also to any Mechanic's Liens which may arise under the provisions of Chapter 69, Mason's Minnesota Statutes for the year 1927, and acts amendatory thereof, by reason of improvements and construction work during the pendency of this action to register the title to the following described land, to-wit: Odd numbered Lots 321 to 335, both inclusive, Block 91, Duluth Proper Second Division, EXCEPT minerals and RESERVING mineral rights to the E'ly 1/2 of said Lot 321. (Certificate No. 215199.0)
   SUBJECT to all the conditions and restrictions contained in Exhibit A attached to Document No.337398 on file and of record in the office of the Registrar of Titles. -Not a Survey Item
9. An easement for slopes purposes in the document recorded February 07, 1891 as Book C of Plats, page 331 of Official Records.
10. The terms and provisions contained in the document entitled "Extinguishment of Access" recorded September 21, 1971 as Document No. 355963 of Official Records. -As Shown
11. An easement for public highway purposes in the document recorded September 20, 1971 as Document No. 356030 of Official Records. -As Shown
12. An easement for Alley purposes in the document recorded May 14, 1975 as Document No. 383818 of Official Records. -As Shown
13. The terms and provisions contained in the document entitled "Resolution 81-0011" recorded April 07, 1981 as Document No. 437169 of Official Records. -As Shown
14. An easement for access and egress purposes in the document recorded January 07, 1982 as Document No. 442576 of Official Records. -As Shown
15. Covenants, conditions, restrictions and easements in the document recorded August 16, 2011 as Document No. 903386.0 of Official Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or any State Statute or Local Ordinance. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status. -Not a Survey Item
16. The terms and provisions contained in the document entitled "General Obligation Bonds Declaration" recorded August 16, 2011 as Document No. 903387.0 of Official Records.-Not a Survey Item
17. Any interest outstanding of record in and to all the oil, gas and other minerals in and under and that may be produced from said premises, together with all rights incident to or growing out of said outstanding minerals, including but not limited to outstanding oil and gas leases and easements. -Not a Survey Item
18. The terms and provisions contained in the document entitled "Memorandum of Site Lease Agreement" recorded February 09, 2006 as Document No. 813024.0 of Official Records. An easement for access and egress purposes in the document recorded September 16, 2019 as Document No. 01363349 of Official Records. -Not a Survey Item

(SCALE IN FEET)

Basis of Bearing is Grid North, St. Louis County Transverse Mercator 96 Coordinate System.

COPYRIGHT 2022 BY LHB INC. ALL RIGHTS RESERVED.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel License # 44075

Signature: ______ Date: xx/xx/2022

DATE PREPARED: xx/xx/22	
PROJ. NO: 200782	
FILE: 200782vSURV.	
SHEET 1 of 3 SHEETS	

PERFORMANCE DRIVEN DESIGN.

ALTA/NSPS Land Title Survey

Duluth HRA

part of Block 91, Duluth Proper Second Division
City of Duluth, St. Louis County, MN

LEGEND

- PROPERTY LINE
- SETBACK LINE
- ROW LINE
- BUILDING
- BLOCK LINE
- LOT LINE
- TORRENS PARCEL 1
- TORRENS PARCEL 2
- ABSTRACT PARCEL
- ROAD AND ALLEY VACATIONS DOCUMENT 437169
- ACCESS EASEMENT DOCUMENT NO. 442576
- ALLEY EASEMENT DOCUMENT NO. 381018
- HIGHWAY EASEMENT DOCUMENT NO. 356030

DESCRIPTIONS:

PARCEL A

Lots 328 except the northeasterly 4.30 feet thereof, Lot 330, and that part of Lot 332 described as follows: Beginning at the Northwesterly corner of said Lot 332; thence southwesterly along northwesterly line of said Lot 332, a distance of 3.24 feet; thence southeasterly to a point on the southeasterly line of said Lot 332 distant 2.94 feet southwesterly of the northeast corner of said Lot 332; thence northeasterly along said southeasterly line, a distance of 2.94 feet to the northeasterly corner of said Lot 332; thence northwesterly along the northeasterly line of said Lot 332 to the point of beginning; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of vacated Alley adjacent thereto.

AND

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

PARCEL B

Lots 322, 324, 326, and the northeasterly 4.30 feet of Lot 328, Block 91 DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of vacated alley adjacent thereto AND that part of the southwesterly one-half of vacated 20th Avenue West adjacent to Lot 322, southerly of the line described as follows: Beginning at the most easterly corner of Lot 322, Block 91, DULUTH PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of Lot 319, Block 92 said DULUTH PROPER SECOND DIVISION and said line there terminating.

AND

The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

PARCEL C

Lots 335, 333, 331, 329 and the southwesterly one-half of Lot 327, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota TOGETHER WITH the southeasterly one-half of adjacent vacated Alley adjacent thereto and the northwesterly one-half of vacated 2nd Street adjacent thereto.

EXCEPT

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

PARCEL D

Lots 321, 323, 325 and the northeasterly one-half of Lot 327 Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one- half of vacated Alley adjacent thereto, the northwesterly one-half of adjacent vacated 2nd Street adjacent thereto, and that part of the southwesterly one-half of vacated 20th Avenue West adjacent to Lot 321, southerly of the line described as follows: Beginning at the most easterly corner of Lot 322, Block 91, DULUTH PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of Lot 319, Block 92 said DULUTH PROPER SECOND DIVISION and said line there terminating.

EXCEPT

The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325 Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

TABLE 50-15.2-1 MU-N DISTRICT DIMENSIONAL STANDARDS		
Minimum lot area per family	One-family	4,000 sq. ft.
	Two-family	2,500 sq. ft.
	Multi-family	300 sq. ft
	Efficiency unit	300 sq. ft.
	Townhouse or live-work dwelling	2,300 sq. ft.
No lot of record containing 5,000 sq. ft. or less shall be used except for a one-family dwelling or a permitted non-dwelling use		
Minimum lot frontage	One-family, two-family, or townhouse dwelling	30 ft.
	Multi-family or non-residential	50 ft.
[illegible]		
Minimum depth of front yard	For all structures 35 feet in height or less	**The smaller of 20 ft. or average of adjacent developed lots facing the same street**
	For portions of all structures higher than 35 feet	An additional 20 feet beyond the required front yard setback above
Minimum width of side yard	General, unless listed below	5 ft.
	Non-residential use adjacent to residential district or use	15 ft.
	Non-residential use adjacent to non-residential district or use	0 ft.
	Multi-family adjacent to single-family district or use	10 ft.
	Multi-family adjacent to multi-family district or use	0 ft.
Minimum depth of rear yard		25 ft.
[illegible]		
Maximum height of building	Non-residential use	45 ft.
	Residential or mixed use (general)	75 ft.
	Residential or mixed use (within 500 ft. of R-1 or R-2 district)	45 ft.
Section 50.21 Dimensional standards contains additional regulations applicable to this district.		

CERTIFICATION

To Duluth HRA:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6a, 6b, 8, 11a, 11b, 13, 16, 17, 18, 19, and 20 of Table A thereof. The field work was completed between December 08, 2020 and February 15, 2021.

Date of Plat or Map: December xx, 2022.

PAUL A. VOGEL
Minnesota Professional Land Surveyor No. 44075

(SCALE IN FEET)

Basis of Bearing is Grid North, St. Louis County Transverse Mercator Coordinate System.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Print Name Paul A. Vogel License # 44075

Signature Date xx.xx.2022

DATE PREPARED: 12/07/22
PROJ NO: 20092
FILE: 20092ALTA.dwg
SHEET 2 of 3 SHEETS

PERFORMANCE DESIGN GROUP

ALTA/NSPS Land Title Survey

DULUTH HRA

part of Block 91, Duluth Proper Second Division
City of Duluth, St. Louis County, Minnesota

CERTIFICATION

To Duluth HRA:

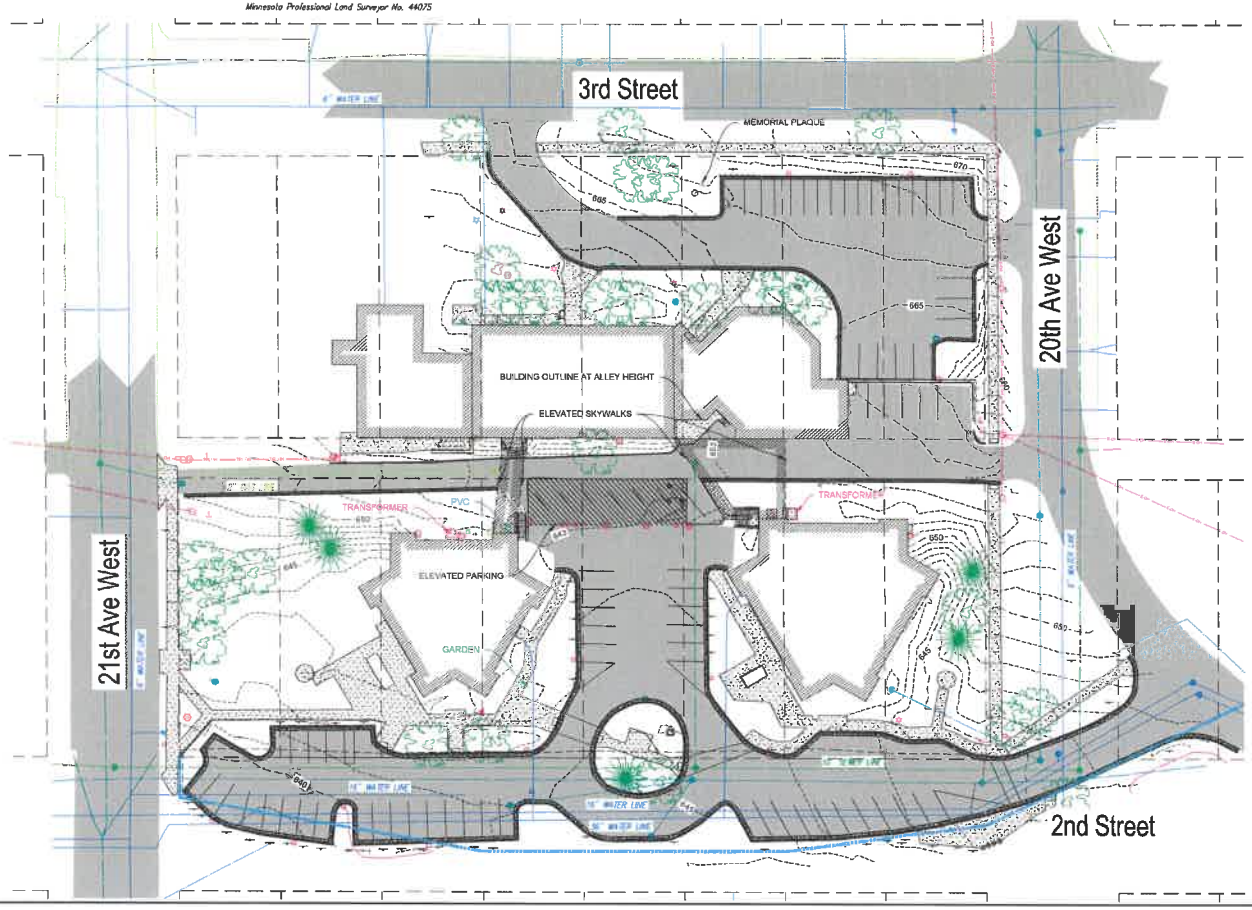
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 6b, 8, 11a, 11b, 13, 16, 17, 18, 19, and 20 of Table A thereof. The field work was completed on November 25, 2015 and December 10, 2015.

Date of Plat or Map: December xx, 2022.

PAUL A. VOGEL
Minnesota Professional Land Surveyor No. 44075

LEGEND

- BOUNDARY LINE, THIS SURVEY
- BITUMINOUS SURFACE
- BUILDING
- CONCRETE SURFACE
- 5 FOOT CONTOUR
- 1 FOOT CONTOUR
- CURB & GUTTER
- BLOCK LINE
- LOT LINE
- OVERHEAD ELECTRIC
- BURIED ELECTRIC
- BURIED CABLE TELEVISION
- BURIED GAS
- BURIED SANITARY SEWER
- BURIED STORM
- BURIED TELEPHONE
- BURIED WATER
- SIGN
- VAULT
- FLAG POLE
- BOLLARD
- EXISTING STORM MANHOLE
- EXISTING SANITARY MANHOLE
- EXISTING CATCH BASIN (SQUARE)
- EXISTING CATCH BASIN (ROUND)
- GUY WIRE OR ANCHOR
- POWER POLE
- LIGHT POLE
- ELECTRICAL JUNCTION BOX
- ELECTRIC PANEL
- ELECTRIC METER
- ELECTRIC BOX
- WATER METER
- WATER VALVE
- HYDRANT
- TELEPHONE PEDESTAL
- GAS VALVE
- GAS METER
- EVERGREEN TREE
- DECIDUOUS TREE



SURVEYON NOTES

1. Date of survey: December 08, 2020 – February 15, 2021.

Underground utility locations are based upon Gopher State One Call Boundary Survey Ticket Numbers 210150621 dated January 13, 2021.

and field markings by respective utilities:

Charter communications	(800) 581-0081
City of Duluth	(218) 730-5097
Consolidated Communications	(218) 568-4744
Minnesota Power	(218) 568-4744
Northeast Service Cooperative	(218) 568-4744
Centurylink	(855) 742-5062
Minnesota Department of Transportation	(651) 366-5759

2. Horizontal Datum = St. Louis County Transverse Mercator 1996 (SLCTM 96).
3. Vertical Datum = North American Vertical Datum of 1988 (NAVD 88).
4. No observed evidence of current earth moving work, building construction or building additions.
5. No observed evidence of recent street or sidewalk construction or repairs.
6. No observed evidence of site use as a solid waste dump, sump or sanitary landfill.
7. There are no known delineated wetlands on this site.

(SCALE IN FEET)
Basis of Bearing is Grid North, St. Louis County Transverse Mercator 96 Coordinate System.

COPYRIGHT 2022 BY JAB, INC. ALL RIGHTS RESERVED.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Print Name Paul A. Vogel License # 44075

Signature Date xx-xx-xx2022

DATE PREPARED: xx-xx-22
PROJ NO: 20792
FILE: 20792-SURV
SHEET 2 of 2 SHEETS

PERFORMANCE SEVEN DESIGN
LANDSCAPE ARCHITECTURE
21 W. Superior St. Duluth MN 55802 | 218.727.2848

EXHIBIT

Lots 321, 323, 325 and the northeasterly one-half of Lot 327 Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one- half of vacated Alley adjacent thereto, the northwesterly one-half of adjacent vacated 2nd Street adjacent thereto, and that part of the southwesterly one-half of vacated 20thAvenue West adjacent to Lot 321, southerly of the line described as follows: Beginning at the most easterly corner of Lot 322, Block 91,DULUTH PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of Lot 319, Block 92 said DULUTH PROPER SECOND DIVISION and said line there terminating.

EXCEPT

The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325 Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

Area containing 0.934 Acres or 40,670 Square Feet, more or less.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul A. Vogel

Signed_____

Date____012/02/2022____ License No. 44075

EXHIBIT

Lots 322, 324, 326, and the northeasterly 4.30 feet of Lot 328, Block 91 DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of vacated alley adjacent thereto AND that part of the southwesterly one-half of vacated 20thAvenue West adjacent to Lot 322, southerly of the line described as follows: Beginning at the most easterly corner of Lot 322, Block 91,DULUTH PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of Lot 319, Block 92 said DULUTH PROPER SECOND DIVISION and said line there terminating.

AND

The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

Area containing 0.568 Acres or 24,760 Square Feet, more or less.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul A. Vogel

Signed_____

Date____12/02/2022____ License No. 44075

EXHIBIT

Lots 335, 333, 331, 329 and the southwesterly one-half of Lot 327, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota TOGETHER WITH the southeasterly one-half of adjacent vacated Alley adjacent thereto and the northwesterly one-half of vacated 2nd Street adjacent thereto.

EXCEPT

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

Area containing 0.934 Acres or 40,670 Square Feet, more or less.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul A. Vogel

Signed_____

Date____12/02/2022____ License No. 44075

EXHIBIT

Lots 328 except the northeasterly 4.30 feet thereof, Lot 330, and that part of Lot 332 described as follows: Beginning at the Northwesterly corner of said Lot 332; thence southwesterly along northwesterly line of said Lot 332, a distance of 3.24 feet; thence southeasterly to a point on the southeasterly line of said Lot 332 distant 2.94 feet southwesterly of the northeast corner of said Lot 332; thence northeasterly along said southeasterly line, a distance of 2.94 feet to the northeasterly corner of said Lot 332; thence northwesterly along the northeasterly line of said Lot 332 to the point of beginning; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of vacated Alley adjacent thereto.

AND

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

Area containing 0.355 Acres or 15,450 Square Feet, more or less.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul A. Vogel

Signed_____

Date 12/02/2022 License No. 44075