



Legislation Text

File #: 19-057-O, **Version:** 1

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT TO THE COUNTY OF SAINT LOUIS, MINNESOTA FOR HIGHWAY PURPOSES, TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT, OVER REAL PROPERTY ON THE NORTH SHORE FOR NOMINAL CONSIDERATION.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the proper city officials are hereby authorized to convey a permanent easement to the County of Saint Louis, Minnesota for highway purposes, together with a temporary construction easement, over the real property legally described the easement agreement, substantially in the form attached as Exhibit 1, and execute all other documents necessary to effectuate the conveyance of the permanent highway and temporary construction easements, for nominal consideration.

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

STATEMENT OF PURPOSE: This ordinance authorizes the conveyance of a permanent easement to the County of Saint Louis, Minnesota (the "County") for highway purposes, together with a temporary construction easement, over property near the French River Public Wayside Rest and Fish Hatchery site.

The City owns a stretch of land from Brighton Beach to Lake County that is more commonly known as Congdon Boulevard or North Shore Drive, including the portion of the road lying outside of city limits, but within St. Louis County. The City maintains Congdon Boulevard until McQuade Road, and the County maintains the road north of McQuade Road. Although the City owns the underlying fee of Congdon Boulevard, it has never granted an easement to the County for the portion of the road it maintains.

The County will be performing an improvement project to the bridge at the French River Public Wayside Rest and Fish Hatchery site and needs an easement in order to spend the funds allocated to the project. The granting of this easement allows the County to perform the bridge improvement project and formalizes the County's maintenance obligations for Congdon Boulevard in this section.

The easement is being granted for nominal consideration because of the public benefit from the County's ongoing maintenance responsibilities in the easement area.