



## Legislation Text

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**File #:** 20-001-O, **Version:** 1

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AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD TO THE STATE OF MINNESOTA AT NO COST.

### CITY PROPOSAL:

The city of Duluth does ordain:

#### Section 1.

(a) Pursuant to Section 2-176(a) of the Duluth City Code, 1959, as amended (the "Code"), the city council stated its intention to sell or convey certain property as set forth in Resolution 20-0026R, which property is legally described on the attached Exhibit A (the "Property").

(b) Pursuant to Section 2-177.3 of the Code, the city council finds that the conveyance of the Property to the State of Minnesota is in the best interests of the citizens of the city and exceeds the needs of the city to retain the Property.

(c) Pursuant to Section 2-176(b) of the Code, the city's planning department reviewed the proposed conveyance of the Property for conformity to the city's comprehensive plan and reported that the conveyance of the Property conforms with said comprehensive plan and is surplus to the city's future needs.

(d) Pursuant to Section 2-176(c) of the Code, the St. Louis County Assessor determined that the estimated market value of the Property has a current estimated market value of \$17,100. However, the city's interest in the Property is valued at \$0.00 because the city is giving a deed solely to clean up a purported title issue.

Section 2. That the proper city officials are hereby authorized to convey the Property to the State of Minnesota, at no cost, and execute the deed and all other documents necessary to effectuate the conveyance of the Property to the State of Minnesota. The State of Minnesota shall be responsible to bear all costs associated with the conveyance of the Property, including but not limited to recording fees and any real estate transfer tax or conveyance fees.

Section 3. That this ordinance shall take effect 30 days after its passage and publication.

**STATEMENT OF PURPOSE:** The purpose of this ordinance is to authorize the conveyance of real property legally described on Exhibit A (the "Property") to the State of Minnesota, at no cost. The Property is generally located below Michigan Street between 22nd and 23rd Avenues West. An aerial view of the Property is outlined in red on the attached Exhibit B.

In connection with the upcoming Twin Ports Interchange project, the State of Minnesota, Department of Transportation ("MnDOT") is requesting that the City execute a deed for the property legally described on Exhibit A (the "Property"). The city does not believe it has a recorded or unrecorded interest in the Property, but MnDOT is requesting that the city execute a quit claim deed because the Duluth Economic Development Authority retained an easement for recreational trail purposes before it previously sold the Property. The city does not have a trail or intend to have a trail over the Property.

The city's planning department reviewed the proposed sale or conveyance for conformity to the city's comprehensive plan and determined that a sale or conveyance of the Property conforms with said comprehensive plan. The letter of conformity is attached as Exhibit C.

According to the St. Louis County assessor, the Property intended to be sold or conveyed has a current estimated market value of \$17,100. However, the city's interest in the Property is valued at \$0.00 because it will give a deed to solely clear up a purported title issue. The city does not believe it has an interest in the

property legally described on the attached Exhibit A.