



Legislation Text

File #: 20-014-O, **Version:** 1

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PERMANENT, NON-EXCLUSIVE EASEMENT TO HOLLY L. HANSEN FOR A GRAVITY GROUNDWATER DRAIN-TILE SEWER LINE 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, non-exclusive easement to Holly L. Hansen, substantially in the form attached as Exhibit 1, to construct, maintain, inspect, operate, protect, repair, replace, and/or remove a gravity groundwater drain-tile sewer line, and execute all other documents necessary to effectuate the conveyance of the easement, for nominal consideration over, under and across the real property described below:

Commencing at the Southwest corner of Lot 16, Block 104, LONDON ADDITION TO DULUTH; thence northerly along the west line of said Lot 16 a distance of 70.00 feet; thence easterly on a line parallel to and offset 70.00 feet to the North of the southerly line of said Block 104 for a distance of 136.00 feet to the Point of Beginning of the parcel to be described; thence continued easterly on a line parallel to the southerly line of said Block 104 a distance of 150.00 feet; thence northerly at right angles a distance of 15.00 feet; thence westerly at right angles a distance of 150.00 feet; thence southerly at right angles a distance of 15.00 feet, more or less, to the Point of Beginning.

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, non-exclusive easement to Holly L. Hansen ("Ms. Hansen"), substantially in the form attached as Exhibit 1, to construct, maintain, inspect, operate, protect, repair, replace, and/or remove a gravity groundwater drain-tile sewer line over city-owned property located at the intersection of Jay Street and 41st Avenue East.

The City owns a parcel of land in the area more commonly known as the "Jay Street Housing Development" that is used for open space and storm water purposes. There is an existing storm water pond on the city-owned property and this private sewer line will drain into the storm water pond.

Under the terms of the agreement, Ms. Hansen, and her heirs, successors and assigns, will be responsible for all costs associated with the construction, maintenance, inspection, operation of the sewer line, including repairs, replacements or removal, as well as damage or destruction to the City's property (should such occur). Ms. Hansen has been working with the Engineering Department on this proposed easement and shall continue to communicate all aspects of the sewer line with the department.

An aerial view of the proposed easement area is depicted on the attached Exhibit 2.