



## Legislation Details (With Text)

**File #:** 16-029-O **Name:**  
**Type:** Ordinance **Status:** Passed  
**File created:** 6/1/2016 **In control:** Planning and Economic Development  
**On agenda:** 6/13/2016 **Final action:** 6/27/2016  
**Title:** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE KENWOOD NEIGHBORHOOD TO THE STATE OF MINNESOTA.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A

Date	Ver.	Action By	Action	Result
6/27/2016	1	City Council	adopted	
6/27/2016	1	City Clerk	attested	
6/27/2016	1	Mayor	approved	
6/13/2016	1	City Council	read for the first time	

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE KENWOOD NEIGHBORHOOD TO THE STATE OF MINNESOTA.

### 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 reconvey certain property as set forth in Resolution 16-0424.

(b) Pursuant to Section 2-177.3 of the Code, the city council finds that the conveyance to the state of Minnesota ("State") of that certain real property legally described as the Westerly eight feet (W'y 8') of the Southerly half (S'y ½) of Lot Eight (8), Block Ten (10), Homewood Garden Tracts ("City Parcel") 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 City Parcel for conformity to the City's comprehensive plan and reported that the conveyance of the City Parcel to the State conforms with said comprehensive plan, as shown on the attached Exhibit A.

(d) Pursuant to Section 2-176(c) of the Code, the St. Louis County Assessor provided a written estimated market value of the property is \$1,900.

Section 2. That the proper city officials are hereby authorized to execute the deed and all other documents necessary to effectuate the reconveyance of the City Parcel to the State for nominal consideration.

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 as the Westerly eight feet (W'ly 8') of the Southerly half (S'ly ½) of Lot Eight (8), Block Ten (10), Homewood Garden Tracts ("City Parcel") to the state of Minnesota ("State"). The city originally acquired this property from the State in 2007 under a conditional use deed exclusively for street and utility purposes, but the city has not used the property for this purpose and does not intend to in the future.

City and county staff recently reviewed new tax-forfeited properties within city limits to determine which properties should be listed for sale. An adjacent parcel to the City Parcel is tax-forfeit property that could be sold ("State Parcel"); however, the adjacent parcel is landlocked by the City Parcel. If the city conveyed its parcel back to the State, then the State can combine the City and State Parcels and list the combined property for sale as one lot. The combination of the parcels is desirable to provide for the sale of a developable lot (instead of a landlocked parcel).

The city conducted an internal review of the property and determined that: (a) the property is surplus of the city's future needs, (b) the needs of the State are greater in importance than the need of the city to retain the property, and (c) the best interests of the citizens of the city will be best served by accomplishing such conveyance.

The property has an estimated market value of \$1,900. However, the city acquired the property as a free conveyance from the State of Minnesota and would like to convey it back for the same consideration.