



## Legislation Details (With Text)

---

<b>File #:</b>	16-0616R	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	8/8/2016	<b>In control:</b>	Public Works and Utilities
<b>On agenda:</b>	8/15/2016	<b>Final action:</b>	8/15/2016
<b>Title:</b>	RESOLUTION AUTHORIZING ACCEPTANCE OF A PERMANENT EASEMENT FROM BARRINGTON WALDORF, LLC REGARDING THE KENWOOD AND ARROWHEAD INTERSECTION, AND RESCINDING RESOLUTION NO. 16-0552R.		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 16-0616R Exhibit A

Date	Ver.	Action By	Action	Result
8/15/2016	1	City Council	adopted	
8/15/2016	1	Mayor	approved	

RESOLUTION AUTHORIZING ACCEPTANCE OF A PERMANENT EASEMENT FROM BARRINGTON WALDORF, LLC REGARDING THE KENWOOD AND ARROWHEAD INTERSECTION, AND RESCINDING RESOLUTION NO. 16-0552R.

### CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into an agreement substantially in the form of that attached hereto as Exhibit A with Barrington Waldorf, LLC, a Minnesota limited liability company, accepting a permanent, perpetual easement for street and utility purposes over company-owned property in KENWOOD PARK ADDITION TO DULUTH, which easement is more specifically described as Attachment 2 to Exhibit A.

FURTHER RESOLVED, that Resolution No. 16-0552R is hereby rescinded.

STATEMENT OF PURPOSE: This resolution authorizes the city of Duluth to enter into an agreement for permanent street and utility easements with the owners of the Kenwood Shopping Center (south of Arrowhead Road and east of Kenwood Avenue) related to the reconstruction of East Cleveland Street, and for a utility easement in that portion of East Cleveland Street previously vacated. At the time the street was vacated the city failed to retain an easement for existing utilities. This easement will provide for the ability to maintain existing utilities in the easement area.

This resolution also rescinds the previously adopted resolution, approving an agreement intended to address this problem. The previous agreement had the correct area shown on the map, but the legal description on both the map and in the easement agreement contained an error and so needed to be corrected.