



## Legislation Details (With Text)

**File #:** 17-007-O **Name:**

**Type:** Ordinance **Status:** Passed

**File created:** 2/3/2017 **In control:** Planning and Economic Development

**On agenda:** 2/13/2017 **Final action:** 2/27/2017

**Title:** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST DULUTH TO MENARD, INC. FOR \$5,100.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A

Date	Ver.	Action By	Action	Result
2/27/2017	1	City Council	adopted	
2/13/2017	1	City Council	read for the first time	

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST DULUTH TO MENARD, INC. FOR \$5,100.

### 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 to Menard, Inc. as set forth in Resolution 17-0144.

(b) Pursuant to Section 2-178 of the Code, the city council finds that the certain real property legally described as Lot Eleven (11), Block Fifty-eight (58), ONEOTA ("Property") is undevelopable and no building can legally be constructed on it.

(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 to Menard, Inc. conforms with said comprehensive plan.

(d) Pursuant to Section 2-176(c) of the Code, the city determined that the estimated market value of the property is \$5,100.

Section 2. That the proper city officials are hereby authorized to execute the deed and all other documents necessary to effectuate the conveyance of the Property to Menard, Inc., a Wisconsin corporation, for the sum of \$5,100. Funds to be deposited into 110-700-1420-4640 (General Fund, Transfers and Other Functions, Capital Program, Sale of Land).

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 Lot Eleven (11), Block Fifty-eight (58), ONEOTA ("Property") to Menard, Inc., a Wisconsin corporation.

The City originally acquired the Property as part of a redevelopment or infrastructure project, but has

no future use for it. The Property is triangular in shape, under .10 acres, and depicted on the attached Exhibit A.

Section 2-178 of the Code allows the City to directly sell a parcel of property to an adjacent property owner without competitive bidding if no building can legally be constructed on it. The Property is undevelopable on its own and no building can be legally constructed on it. In addition, the Property is fully enclosed by other parcels owned by Menard, and the City would like to sell the Property to Menard, Inc. as an adjacent property owner.

Section 2-178 of the Code requires that the sale price of the Property must be at least equal to its market value as determined by the assessor. The St. Louis County Assessor estimated the market value of the Property at \$5,100. Menard, Inc. agrees to purchase the Property for \$5,100 and bear all costs incurred with the conveyance, including deed tax and recordation filing fees.