



## Legislation Details (With Text)

**File #:** 18-0813R **Name:**  
**Type:** Resolution **Status:** Passed  
**File created:** 11/30/2018 **In control:** Recreation, Libraries and Authorities  
**On agenda:** 12/10/2018 **Final action:** 12/10/2018  
**Title:** RESOLUTION AUTHORIZING THE RE-CONVEYANCE OF CERTAIN PROPERTY ACQUIRED UNDER CONDITIONAL USE DEEDS TO THE STATE OF MINNESOTA.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A.pdf

Date	Ver.	Action By	Action	Result
12/10/2018	1	City Council	adopted	

RESOLUTION AUTHORIZING THE RE-CONVEYANCE OF CERTAIN PROPERTY ACQUIRED UNDER CONDITIONAL USE DEEDS TO THE STATE OF MINNESOTA.

**CITY PROPOSAL:**

WHEREAS, in 1989, the state of Minnesota ("State") conveyed tax-forfeited land to the city of Duluth ("City") under conditional use deeds exclusively for a parking area for the Western Waterfront Trail and an expanded play field area for Irving Park (the "Deeds");

WHEREAS, the city has not developed the property acquired under the Deeds for the purposes stated therein and has no future plans to use the property;

WHEREAS, the State requested a formal review of the parcels of tax-forfeited lands conveyed to the City in 1989;

WHEREAS, the City reviewed all tax-forfeited parcels acquired under conditional use deeds in 1989 and determined that the property from the Deeds are not being used for their intended purposes;

WHEREAS, Minn. Stat. § 282.01, Subd. 1d requires re-conveyance by a governmental subdivision of any tax-forfeited land acquired under a conditional use deed that is not being used for their intended purpose.

WHEREAS, Section 2-177(f) of the Duluth City Code states that re-conveyance to the State of tax-forfeited property acquired by a conditional use deed shall be by a resolution of the city council.

NOW, THEREFORE, BE IT RESOLVED, that the City council approves the re-conveyance of the property acquired under the Deeds to the state of Minnesota; said property is legally described as:

Lot 1, Block 14, Hunters Grassy Point Addition to Duluth;

AND

Lots 9 thru 15, inclusive, Block 101, West Duluth Second Division and Lot 16, except Railroad right-of-way, Block 101, West Duluth Second Division.

FURTHER RESOLVED, that the proper city officials are hereby authorized to execute all documents necessary to effectuate the re-conveyance of the above-described lands to the State.

STATEMENT OF PURPOSE: This resolution authorizes the re-conveyance of two parcels of land to the state of Minnesota because they are not being used for their intended purposes; said parcels are depicted on the map attached as Exhibit A.

The City originally acquired the two lots to be re-conveyed under conditional use deeds from the state of Minnesota exclusively for a parking area for the Western Waterfront Trail and an expanded play field area for Irving Park. City staff, including the Parks Department, reviewed all property acquired under conditional use deeds in 1989 and determined that these two tracts of land: (1) have not been developed for their intended purposes and (2) are surplus to the city's current and future needs.