



Legislation Text

File #: 17-0312R, **Version:** 1

RESOLUTION ACCEPTING PERMANENT EASEMENT FOR STEAM LINE PURPOSES FROM GATEWAY PROPERTIES, LLLP OVER PROPERTY LOCATED BETWEEN WEST SUPERIOR STREET AND WEST MICHIGAN STREET AT NO COST TO THE CITY.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to accept a permanent easement for steam line purposes, as more particularly described on the Easement Agreement attached as Exhibit 1, from Gateway Properties, LLLP, at no cost to the city, over the real property legally described as:

An easement for steam line purposes lying over, under and across part of Lots 98, 100, 102 and 104, Block 3, DULUTH PROPER THIRD DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota, said steam line easement is herein described: Beginning at the Southeasterly corner of said Lot 98, Block 3; thence on an assumed bearing of North 48 degrees 18 minutes 32 seconds West, along the Northeasterly line of said Lot 98, Block 3 for a distance of 3.00 feet; thence South 41 degrees 33 minutes 59 seconds West, along a line which is parallel with and distant 3.00 feet Northeasterly of the Southeasterly line of said Block 3 for a distance of 39.03 feet; thence North 58 degrees 55 minutes 34 seconds West 16.36 feet; thence North 84 degrees 51 minutes 04 seconds West 94.76 feet; thence South 43 degrees 54 minutes 02 seconds West 58.98 feet; thence North 48 degrees 18 minutes 32 seconds West, along a line which is parallel with and distant 157.40 feet Southwesterly from the Northeasterly line of said Lot 98, Block 3 for a distance of 25.44 feet to a line which is parallel with and distant 3.00 Northwesterly of the Northwesterly line of said Block 3; thence South 41 degrees 33 minutes 59 seconds West, along said parallel line 11.60 feet; thence South 48 degrees 18 minutes 32 seconds East, along a line which is parallel with and distant 169.00 feet Southwesterly of the Northeasterly line of said Lot 98, Block 3 for a distance of 40.34 feet, more or less, to the face the existing building wall; thence North 41 degrees 33 minutes 59 seconds West, along said face of the existing building wall 11.60 feet; thence North 48 degrees 18 minutes 32 seconds West, along a line which is parallel with and distant 157.40 feet Southwesterly of the Northeasterly line of said Lot 98, Block 3 for a distance of 11.89 feet; thence North 43 degrees 54 minutes 02 seconds East, 57.43 feet; thence South 84 degrees 51 minutes 04 seconds East, 92.63 feet; thence South 58 degrees 55 minutes 34 seconds East, 18.16 feet to the Southeasterly line of said Block 3; thence North 41 degrees 33 minutes 59 seconds East, along said Southeasterly line of Block 3 for a distance of 41.52 feet to the point of beginning and there terminating.

The easement intended to be granted is more clearly shown on Exhibit B attached to Exhibit 1.

STATEMENT OF PURPOSE: This resolution authorizes acceptance of a permanent easement from the Gateway Properties, LLLP for steam line purposes over property located between West Superior Street and West Michigan Street, at no cost to the city. The easement granted is for existing steam pipe lines, as well as future hot water lines.

Gateway Properties, LLC owns an apartment complex located at 600 W. Superior Street, which complex is more commonly known as the Gateway Tower Apartments ("Gateway Tower"). Gateway Tower is currently undergoing a major renovation project, including improvements to the heating and hot water systems. The granting and acceptance of this easement allows the city, or its successors or assigns, the right to construct, install, inspect, maintain, repair, replace, reconstruct, or improve the thermal energy system on the property.