



Legislation Text

File #: 18-0735R, **Version:** 1

RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF A NOTICE OF FUNDING RESTRICTIONS OVER PROPERTY TO BE INCLUDED WITHIN THE BOUNDARY OF HARTLEY PARK.

CITY PROPOSAL:

WHEREAS, Resolution No. 18-0613 authorized the city of Duluth ("City") to purchase certain real property adjacent to Hartley Park from Independent School District No. 709 ("ISD No. 709") for \$390,250;

WHEREAS, Resolution No. 18-0126, as amended by Resolution No. 18-0308, authorized the City to accept a grant from the state of Minnesota to fund the purchase of the property from ISD No. 709 (the "Grant"); and

WHEREAS, a condition of the Grant requires the filing of a notice of funding restrictions against the real property to prevent it from being sold, transferred, pledged, or otherwise disposed of or further encumbered without obtaining the prior written approval of the Lessard-Sams Outdoor Heritage Council or its successor.

NOW THEREFORE, BE IT RESOLVED, that the proper city officials are hereby authorized to execute the Notice of Funding Restrictions, substantially in the form attached as Exhibit 1, over the real property described below:

Lots One (1) through Ten (10), both inclusive, Block Four (4);

Lots One (1) through Six (6), both inclusive, Block Five (5);

All of Block Six (6);

Lots Thirteen (13) through Twenty-one (21), both inclusive, Block Seven (7);

Lots One (1) through Eight (8), both inclusive, Block Eight (8);

All of Block Nine (9);

together with all vacated streets and avenues appurtenant thereto, all in HARTLEY HILLS FOURTH ADDITION, St. Louis County, Minnesota.

EXCEPT all minerals.

FURTHER RESOLVED, that the proper city officials are hereby directed to file the Notice of Funding Restrictions with the St. Louis County Recorder and/or Registrar of Titles in order to properly effectuate the restrictions described above.

STATEMENT OF PURPOSE: The purpose of this resolution is to authorize the execution and filing of a Notice of Funding Restrictions on property to be purchased by the City from Duluth Public Schools. The property is adjacent to Hartley Park (see attached Exhibit 2). Once purchased, the property will be added to the park.

The city accepted a grant from the state of Minnesota under Resolution 18-0126, as amended by Resolution 18-0308, that funds the purchase of this property. City ownership of the property will protect a cold water trout stream, preserve recreational connectivity to Hartley Park from the Pleasantville neighborhood, and preserve a buffer between future development and Hartley Nature Center's primary programming area.

A condition of the grant agreement requires that the city file the Notice of Funding Restrictions with the St. Louis County Recorder that will prevent the property from being sold without obtaining the prior written approval of the State of Minnesota.