



Legislation Text

File #: 19-0705R, **Version:** 1

RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A DONATION FROM HARTLEY NATURE CENTER CORPORATION OF REAL PROPERTY ADJACENT TO HARTLEY PARK.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to accept certain real property and enter into the donation agreement, substantially the same as that on file with the office of the City Clerk, with Hartley Nature Center Corporation, for the donation of real property legally described on the quit claim deed attached Exhibit 1.

FURTHER RESOLVED, that the proper city officials are hereby authorized to execute all documents necessary to effectuate the acquisition of the donated real property from Hartley Nature Center Corporation and to accept the donation under the terms and conditions stated on the quit claim deed attached as Exhibit 1.

STATEMENT OF PURPOSE: The purpose of this resolution is to authorize and accept the donation from Hartley Nature Center Corporation of real property located adjacent to Hartley Park.

Under the terms of the Donation Agreement attached as Exhibit 2, the donation of the real property is contingent of the following:

- (1) City agrees to include the property as part of the Duluth Natural Areas Program (Article XXIX, Section 2, Duluth City Code), or any successor program with the mission of protecting real estate with special or unique ecological or environmental significance (a "Nature Program");
- (2) In the event that the City or its successors and assigns ceases to manage the property within a Nature Program, City or its successors or assigns will convey the real property back to Hartley Nature Center Corporation; and
- (3) Administration requests that the City Council dedicate the property as park property within 180 days of closing on the donation. In the event that the City Council fails to dedicate the property as park property, then City shall convey the property back to Hartley Nature Center Corporation.

The property to be donated is depicted on the attached Exhibit 3.