



Legislation Text

File #: 22-0088R, **Version:** 1

RESOLUTION AUTHORIZING A TEMPORARY LICENSE AGREEMENT WITH SPIRIT COVE HOME OWNERS ASSOCIATION FOR STABILIZATION OF CERTAIN PROPERTY ALONG THE ST. LOUIS RIVER SHORELINE, AT NO COST TO THE CITY.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to execute a temporary license agreement, substantially the same as the agreement attached as Exhibit 1, with Spirit Cove Home Owners Association, a Minnesota nonprofit corporation ("Spirit Cove"), for the non-exclusive use of certain property for access purposes and installation of erosion control measures along some or all of the St. Louis River shoreline within Spirit Cove's property and undertake additional, related activities, at no cost to the City.

STATEMENT OF PURPOSE: This resolution authorizes a temporary license agreement, substantially the same as the agreement attached as Exhibit 1, with Spirit Cove Home Owners Association, a Minnesota nonprofit corporation ("Spirit Cove"), for the non-exclusive use of certain property for access purposes and installation of erosion control measures along some or all of the St. Louis River shoreline within Spirit Cove's property and undertake additional, related activities, at no cost to the City.

Through an easement for "public park recreational purposes" granted by Spirit Cove's predecessor in interest, a portion of Waabizheshikana ("The Marten Trail") goes through Spirit Cove's property (the "Easement Agreement"). The St. Louis River shoreline located on Spirit Cove's property has suffered erosion due to natural causes including high water and wave events. The erosion has damaged The Marten Trail to an extent that prevents full public use and enjoyment of the popular waterfront path.

City wishes to stabilize the St. Louis River shoreline on Spirit Cove's property in an attempt to prevent further erosion to the portion of Spirit Cove's property subject to the Easement Agreement and to fully reopen The Marten Trail. In order to allow City to obtain such objectives, Spirit Cove wishes to provide City with a temporary license over its property to install erosion control measures to stabilize the shoreline.

City shall have no obligation, during the term of the license agreement or afterward, to prevent erosion of the St. Louis River shoreline within Spirit Cove's property.