



Legislation Text

File #: 22-033-O, **Version:** 1

AN ORDINANCE DEDICATING A PERPETUAL EASEMENT FOR STREET AND UTILITY PURPOSES OVER CITY-OWNED PROPERTY.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the city of Duluth does hereby dedicate to the general public a perpetual easement for street and utility purposes over, under and across real property located in St. Louis County, Minnesota legally described below:

That part of Lots 8 and 9 Block 3 CAR LINE GARDENS which lies Northerly of a line described as follows: Beginning at a point on the West line of Lot 9 Block 3, distant 60 feet Southerly of the Northwest corner thereof; thence run southeasterly to a point on the east line of Lot 9 Block 3, distant 130 feet southerly of the northeast corner thereof, thence run southeasterly to a point on the east line of Lot 8 Block 3, distant 150 feet southerly of the northeast corner thereof and there terminating

AND

That part of Lot 10 Block 3 CAR LINE GARDENS, which lies NE'ly of a line described as follows: Beginning at the NW corner of Lot 10, thence run SE'ly to a point on the E line of said Lot 10, distant 60 feet S'ly of the NE corner thereof and there terminating.

Section 2. That the proper city officials are authorized to record, with the register of deeds and/or the registrar of titles of Saint Louis County, Minnesota, a certified copy of this ordinance showing the easement to be dedicated.

Section 3. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize the dedication of a perpetual easement for street and utility purposes across certain city-owned property in the Duluth Heights neighborhood (the "Easement Area"). The dedication of this easement allows for the continued operation, maintenance, repair, replacement, or removal of a portion of Palm Street.

The City acquired the Easement Area, along with other property, in 1993 from the State of Minnesota, Department of Transportation. An upcoming development project south of the Easement Area will construct a multi-family structure containing approximately 201 dwelling units (the "Project"). The entrance to the Project will occur through the Easement Area, but an easement in favor of the public is needed to allow for such access. Once the Easement Area is formally dedicated, the City Engineer can issue a driveway permit to the owner of the Project to permit such access.

A map depicting the Easement Area is attached as Exhibit A.