



Legislation Text

File #: 23-0077R, **Version:** 1

RESOLUTION ACCEPTING A PERMANENT EASEMENT FROM THE LAKE SUPERIOR CENTER AUTHORITY FOR THE CONSTRUCTION, OPERATION, REPAIR, AND MAINTENANCE OF A SEAWALL AND RELATED APPARATUS AFFECTING REAL PROPERTY NEAR BAYFRONT FESTIVAL PARK FOR NOMINAL CONSIDERATION.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to accept, substantially in the form attached as Exhibit 1, from the Lake Superior Center Authority, a perpetual easement for the construction, operation, repair, and maintenance of a seawall and related apparatus over, under, and across the real property legally described on Exhibit A to the attached Exhibit 1 and depicted on Exhibit B to the attached Exhibit 1, for nominal consideration.

STATEMENT OF PURPOSE: This resolution authorizes the acceptance of a permanent easement for the construction, operation, repair, and maintenance of a seawall and related apparatus over, under, and across certain property owned by the Lake Superior Center Authority (the "Aquarium") for nominal consideration.

The easement is needed in connection with the upcoming project to replace the seawall behind the Duluth Entertainment Convention Center (DECC) and the Great Lakes Aquarium (the "Project"). The City already owns the property used in connection with the DECC, but needs to acquire this easement interest in order to construct the new seawall and adjoining pathway on property owned by the Aquarium.

The Project will reconstruct approximately 1,200 lineal feet of seawall and adjoining paved pathway behind the DECC and Great Lakes Aquarium. The existing seawall is severely deteriorated suffering from a combination of corroded steel sheet pile and deteriorated timber dock walls. It is not able to provide adequate long-term support for the adjacent structures and facilities. The new seawall will replace failing shoreline infrastructure so as to better withstand increasingly frequent and severe storms, protect adjoining transportation infrastructure, accommodate cruise ships, improve access to, and enjoyment of, the public waterfront, and promote economic recovery.

The entire Project area is outlined in black on the map attached as Exhibit 2.