

PUBLIC WORKS & UTILITIES COMMITTEE

13-046-O

ORDINANCE NO. _____

AN ORDINANCE DEDICATING AN EASEMENT FOR STREET RIGHT-OF-WAY PURPOSES FOR WEST FIRST STREET BETWEEN 14TH AVENUE WEST AND 17TH AVENUE WEST.

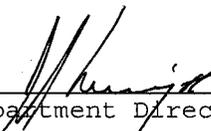
CITY PROPOSAL:

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 right-of-way purposes for West First Street between 14th and 17th Avenues West over, under and upon the property in St. Louis County, Minnesota described on Public Document No. _____ on file in the office of the city clerk.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved:



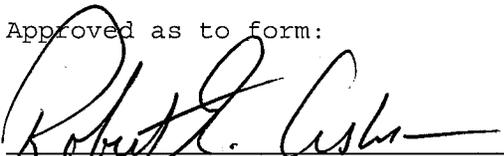
Department Director

Approved for presentation to council:



Chief Administrative Officer

Approved as to form:



Attorney

Approved:



Auditor

ATTY REA:db 06/21/2013

STATEMENT OF PURPOSE: The purpose of this ordinance is to dedicate park property for street purposes which are legally within the boundaries of Enger Park. West First Street has occupied this property since time immemorial, but the occupied

property has never been formally dedicated for street purposes. The City has received federal funding to repave West First Street from Mesaba Avenue to Piedmont Avenue, including the subject portion of First Street, but in order to be able to use those funds on the this part of First Street, the street must be on "public right-of-way."

The dedication of this property for right-of-way was approved by the parks commission. In view of the long history of the use of this property for roadway purposes, the Planning Commission staff has determined that no formal review by the Commission is required.