



City of Duluth

411 West First Street
Duluth, Minnesota
55802

Certified Copy

Ordinance: 10791

File Number: 21-069-O

Enactment Number: 10791

AN ORDINANCE PURSUANT TO 1955 MINN. LAWS, CHAPTER 82, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE LESTER PARK NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR NOMINAL CONSIDERATION.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1.

(a) Pursuant to Section 2-176(a) of the Duluth City Code, 1959, as amended (the "Code"), the city council stated its intention to sell or convey approximately 37 acres of park property owned by the city in fee, as set forth in Resolution 21-0888, which property is legally described on the attached Exhibit A (the "Property");

(b) Pursuant to Section 2-177.3 of the Code, the city council finds that the conveyance of the Property to the Duluth Economic Development Authority, an economic development authority under Minnesota Statutes Chapter 469 ("DEDA"), is in the best interests of the citizens of the city and exceeds the needs of the city to retain the Property;

(c) Pursuant to Section 2-176(b) of the Code, the city's planning department reviewed the proposed conveyance of the Property for conformity to the city's comprehensive plan and reported that the conveyance of the Property conforms with said comprehensive plan and is surplus to the city's future needs;

(d) Pursuant to Section 2-176(c) of the Code, the St. Louis County Assessor determined that the estimated market value of the Property is \$72,000 for each two-acre site;

(e) Pursuant to 1955 Minn. Laws, Chapter 82, the city is authorized to sell at public sale any park property which it owns and holds in fee simple, in compliance with the prerequisites of 1955 Minn. Laws, Chapter 82, including adoption of an ordinance authorizing such sale by a 4/5 vote of its governing body; and

(f) Pursuant to Section 2 of 1955 Minn. Laws, Chapter 82, the planning commission of the city recommended the sale of the Property with no less than three-fourths vote and the written resolution recommending such sale was filed as a public record with the City Clerk in the city council's Resolution No. 21-0888.

Section 2. That, upon the execution of the Development Agreement between DEDA and the city authorized under Resolution No. 21-0988 and subsequent recordation with the St. Louis County real estate records, the proper city officials are hereby authorized to convey the Property to DEDA for the sum of \$1.00 and execute a quit claim deed and all other documents necessary to effectuate the conveyance of the Property to DEDA.

Section 3. That the subsequent sale(s) of the Property, or any portion thereof, by DEDA must occur via a public sale as required in Section 1 of 1955 Minn. Laws, Chapter 82.

Section 4. That this ordinance shall take effect 30 days after its passage and publication.

A motion was made by Councilor Tomanke to pass this Ordinance. The motion was seconded by Councilor Kennedy. The motion passed unanimously.

This Ordinance was adopted unanimously.

I, Chelsea Helmer, City Clerk of the City of Duluth, Minnesota, do hereby certify that I have compared the foregoing passed by the city council on 12/20/2021, with the original approved and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth.

Date Certified