



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

TO:

Jim Filby Williams, Public Administration
Jessica Peterson, Duluth Parks
Cliff Knettel, Duluth Parks
Katie Bennett, Duluth Parks
Jim Shoberg, Duluth Parks
Abbie Hopper, Duluth Parks
Danielle Erjavec, Duluth Property & Facilities
Henry Martinsen, Duluth Property & Facilities
Amanda Mangan, Duluth Attorney
Nicholas Anderson, Duluth Attorney
Jim Benning, Duluth Public Works & Utilities
Cari Pedersen, Chief Engineer of Transportation
Patrick F. Loomis, Duluth Engineering
Cindy Voigt, Duluth City Engineer
Tom Johnson, Duluth Project Engineer
Howard Smith, Chief Engineer of Utilities
Duncan Schwensohn, Duluth Public Works & Utilities
Branden Heidelberger, Duluth Engineering
Bill Byers, Duluth Engineering
Greg Guerro, Duluth Utility Ops Manager
Chris Kleist, Duluth Utility Operations
Peggy Billings, Engineering Technician
Bill Bergstrom, Engineering Technician
Andy Swanson, Duluth Utility Operations
Ryan Granlund, Duluth Utility Programs Coordinator
Shawn Krizaj, Duluth Fire Chief
John Otis, Duluth Deputy Fire Chief
Lisa Consie, Fire Marshal
Mike Ceynowa, Duluth Police
Mark Bauer, Duluth Parking
John Hinzmann, MnDOT
Jim Miles, MnDOT
Clark Christensen, City of Duluth Forester
Chris Belden, Duluth Transit Authority

Patricia Fowler, DNR Liaison
Bri Speldrich, Area Hydrologist DNR
Cliff Bentley, MnDNR
Brandon Kohlts, WLSSD
Anne Sims, SLC Assessor's Office
Jon Osterberg, SLC Accessors Office
Ron Chicka, MIC
Stacy Caldwell Melcher, SLC County Land Dept
Jim Foldesi, St Louis Co. Public Works
Jill Helmer, Minnesota Power
Dean Dulinski, Minnesota Power
Sue Larkin, Lumen
Joe Kutter, CenturyLink/Lumen
Michael Coughlin, CenturyLink/Lumen
Darren Kitchak, Charter Spectrum
Chad Lawrence, Charter Spectrum
Ben VanTassel, Planning and Economic Development Director
Jenn Reed Moses, Duluth Planning & Development
Tricia Hobbs, Duluth Planning & Development
Steven Robertson, Duluth Construction Services (CSI)
Blake Nelson, Building Inspector, CSI
Armella Bijold, CSI
Reina Owecke, Permit Coordinator, CSI
Tara Smith, Permit Coordinator, CSI
Emily Schouweiler, Permit Coordinator, CSI
Kyle Deming, Planning & Development
Suzanne Kelley, Planning & Development
Jason Mozol, Planning & Development
Chris Lee, Planning & Development
Tom Church, Duluth Planning & Development
Sam Smith, Duluth Planning & Development
Christian Huelsman, Duluth Planning & Development
James Gittemeier, Duluth Planning & Development

DATE: September 18, 2025

SUBJECT: Planning Commission Meeting Agenda Items for **October 18, 2025**

The Duluth City Planning Commission has received **7** new application(s) for review. Please review the technical aspects and desirability of the proposals and provide comments at your earliest convenience. **Note that City of Duluth reviewers with access to EPL can view the applications there as well, by searching for the project number under "Manage Plans"**

PLIUP-2508-0039 Interim Use Permit for a Vacation Dwelling Unit at 2413 W 7th St by Ryan & Brittany Kuschel [CH]

PLSUB-2508-0010 Minor Subdivision at Swan Lake Rd (010-0803-00020) by Adam Schminski [CH]

PLSUB-2508-0011 Minor Subdivision at 1806 Rice Lake Rd by Terri Crossmon [CL]

PLSUP-2509-0063 Special Use Permit for a Solar Facility at 3201 Maxwell Rd by Eden Renewables [CL]

PLUMA-2509-0006 UDC Map Amendment for Lower Miller and Coffee Creek Shoreland Designations at 2402 W Michigan St by City of Duluth [JM]

PLVAC-2509-0008 Vacation of Right-of-Way at 94th Ave W between DWP Trail and Lanigan Blvd by Sumair Sheikh [CH]

PLVAC-2509-0009 Vacation of an Easement at Atlas Parkway and Precision Avenue by Bradbury Stamm Construction [JM]

We appreciate your time and input. If you have any questions, comments or need additional background information, please find the initials of the assigned planner at the end of the application item and contact the planner directly.

Christian Huelsman - chuelsman@duluthmn.gov

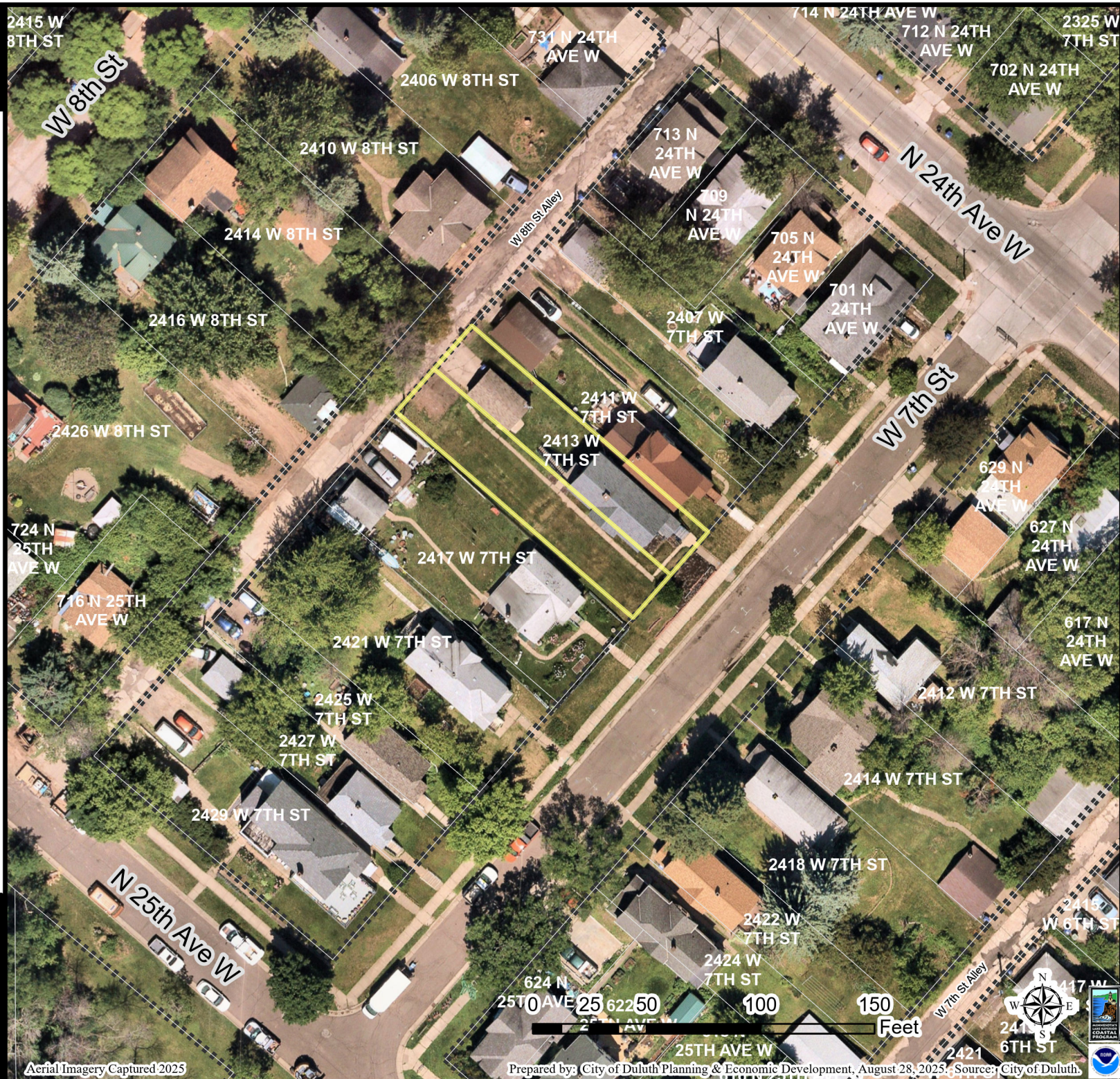
Chris Lee - clee@duluthmn.gov

Jason Mozol - jmozol@duluthmn.gov



Interim Use Permit for VDU
2413 W 7th St

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



50'

ALLEY

NEIGHBORS FENCING*

*SEE WAIVER FROM
BOTH E'LY & W'LY
NEIGHBOR RE
FENCING

PID 010-1220-06100

NEIGHBORS FENCING*

140'

NEIGHBORS FENCING*

PID 010-1220-06110

SIDEWALK

GARAGE

REAR
BALCONY

2413 W

7th St

SIDEWALK


FRONT PORCH

SIDEWALK

W 7th Street

2417 w 7th St, Duluth MN 55806

I, John A. Podgorski, owner of 2417 W 7th St, hereby agree to waive the dense urban screen requirement. I have a fence already in place between my property and the applicant's property at 2413 W 7th St.


Signature 218-310-2980

8-12-25
Date

2411 w 7th St, Duluth MN 55806

I, David D. Nelson, owner of 2411 W 7th St, hereby agree to waive the dense urban screen requirement. I have a fence already in place between my property and the applicant's property at 2413 W 7th St.


Signature

8/15/25
Date



PLSUB-2508-0010

Minor Subdivision
010-0803-00020 (Swan Lake Rd)

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Aerial Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, August 13, 2025. Source: City of Duluth.

WEST ARROWHEAD ROAD

S88°52'45"W
114.75

SURVEYOR NOTES:

1. APEX LAND SURVEYING, LLC PREPARED THIS SURVEY WITHOUT THE BENEFIT OF CURRENT TITLE WORK. THE PROPERTY SHOWN IS BASED ON A LEGAL DESCRIPTION PROVIDED BY YOU THE CLIENT OR A GENERAL REQUEST AT THE APPROPRIATE COUNTY RECORDER'S OFFICE. EASEMENT, SITE RESTRICTION OR ADJOINING DEED CONFLICTS MAY EXIST WHICH AFFECT SUBJECT PROPERTY AND ARE NOT SHOWN BY THIS SURVEY. WE RESERVE THE RIGHT TO REVISE THE SURVEY UPON RECEIPT OF A CURRENT TITLE COMMITMENT OR TITLE OPINION.

PARCEL D

Lot 2
BLOCK 1

N88°52'45"E
220.63

PARCEL C

N88°52'45"E
249.97

PARCEL B

N88°52'45"E
217.42

PARCEL A

SWAN LAKE PLACE

53.50
S60°43'15"E
(Point of Commencement)

N29°16'45"E
26.58
S29°16'45"E
57.97
N29°16'45"E
84.55

Point of Beginning Line A

Point of Beginning Line B

Line B

Line C

Proposed

Duplex

Duplex

Proposed

N76°25'44"E
90.03

L=59.38, R=560.00
Δ=6°04'31"

S1°07'15"E

S1°07'15"E

N1°07'15"W
106.67

20.00 foot setback line

30.5

25.0

10.00

30.7

25.3

26.3

32.3

SWAN LAKE ROAD

L=12.46, R=560.00
Δ=1°16'29"

PROPOSED LEGAL DESCRIPTIONS:

Parcel A:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Southerly of the following described line; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of South 60 degrees 43 minutes 15 seconds East, along the Southerly line of said Lot 2, a distance of 53.50 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 217.42 feet to the Easterly line of said Lot 2 and there terminating.

Containing 0.26 acres, more or less.
Subject to easements of record.

Parcel B:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Northerly of Line A as described below and Southerly of Line B as described below; Line A described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of South 60 degrees 43 minutes 15 seconds East, along the Southerly line of said Lot 2, a distance of 53.50 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 217.42 feet to the Easterly line of said Lot 2 and there terminating. Line B described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 26.58 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 249.97 feet to the Easterly line of said Lot 2 and there terminating.

Containing 0.28 acres, more or less.
Subject to easements of record.

Parcel C:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Northerly of Line B as described below and Southerly of Line C as described below; Line B described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 26.58 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 249.97 feet to the Easterly line of said Lot 2 and there terminating. Line C described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 84.55 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 220.63 feet to the Easterly line of said Lot 2 and there terminating

Containing 0.27 acres, more or less.
Subject to easements of record.

Parcel D:

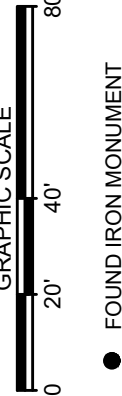
That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Northerly of Line C as described below; Line C described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 84.55 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 220.63 feet to the Easterly line of said Lot 2 and there terminating

Containing 0.61 acres, more or less.
Subject to easements of record.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

KALEB J. KADELBACH (LICENSE NO. 57070) 8/18/2025 DATE

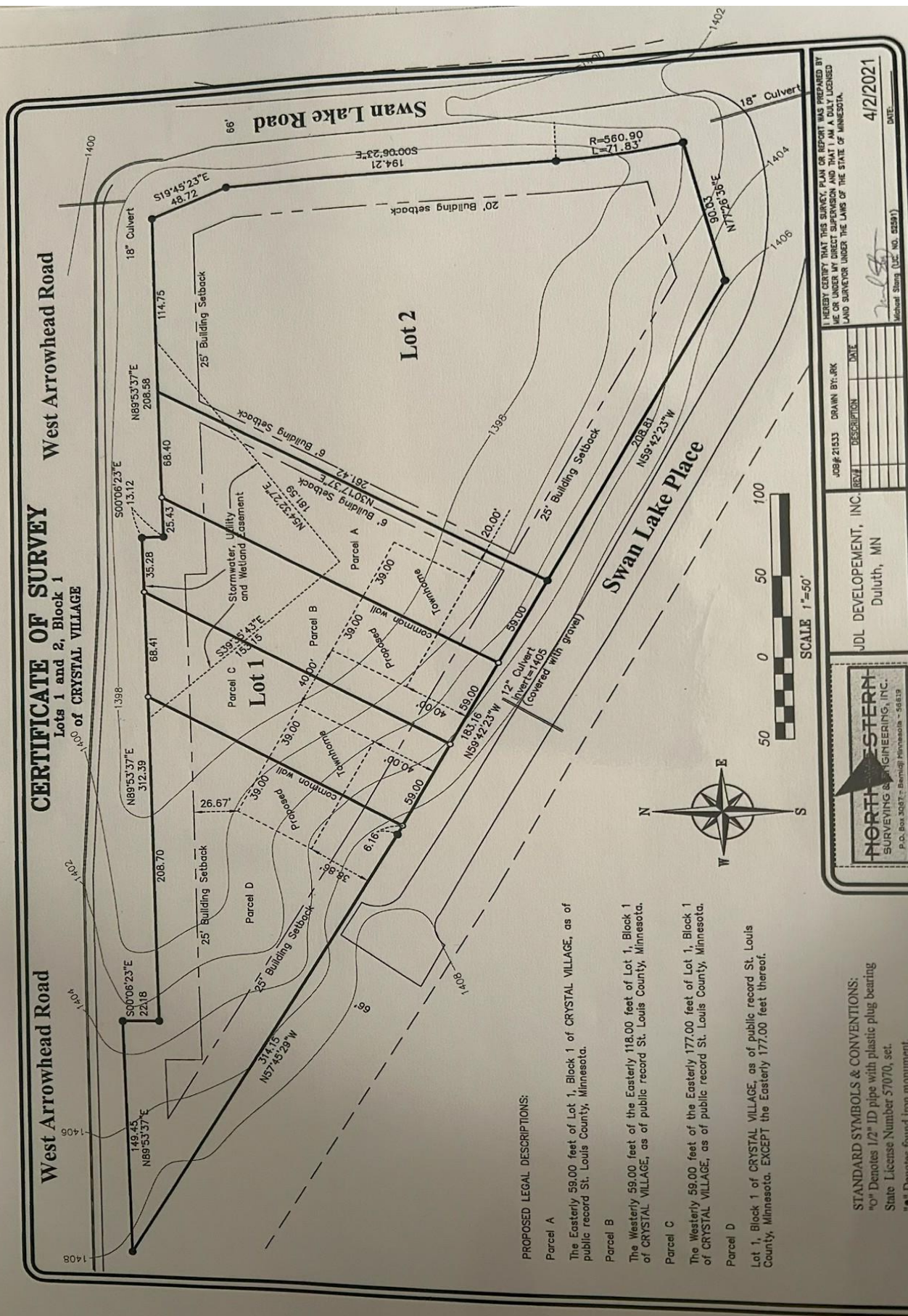


CLIENT INFORMATION:
JDL Development
Parcel: 010-0803-00013
Duluth, MN

FIELD DATE: 06/30/2025
APEX JOB NO. 25336

CERTIFICATE OF SURVEY
Split of Lot 2, Block 1 CRYSTAL VILLAGE,
as of public record St. Louis County, Minnesota.

kaleb.kadelbach@apex-landsurveying.com PH: (763) 388-0056





PLSUB-2508-0011

Minor Subdivision
1806 Rice Lake Rd

Legend

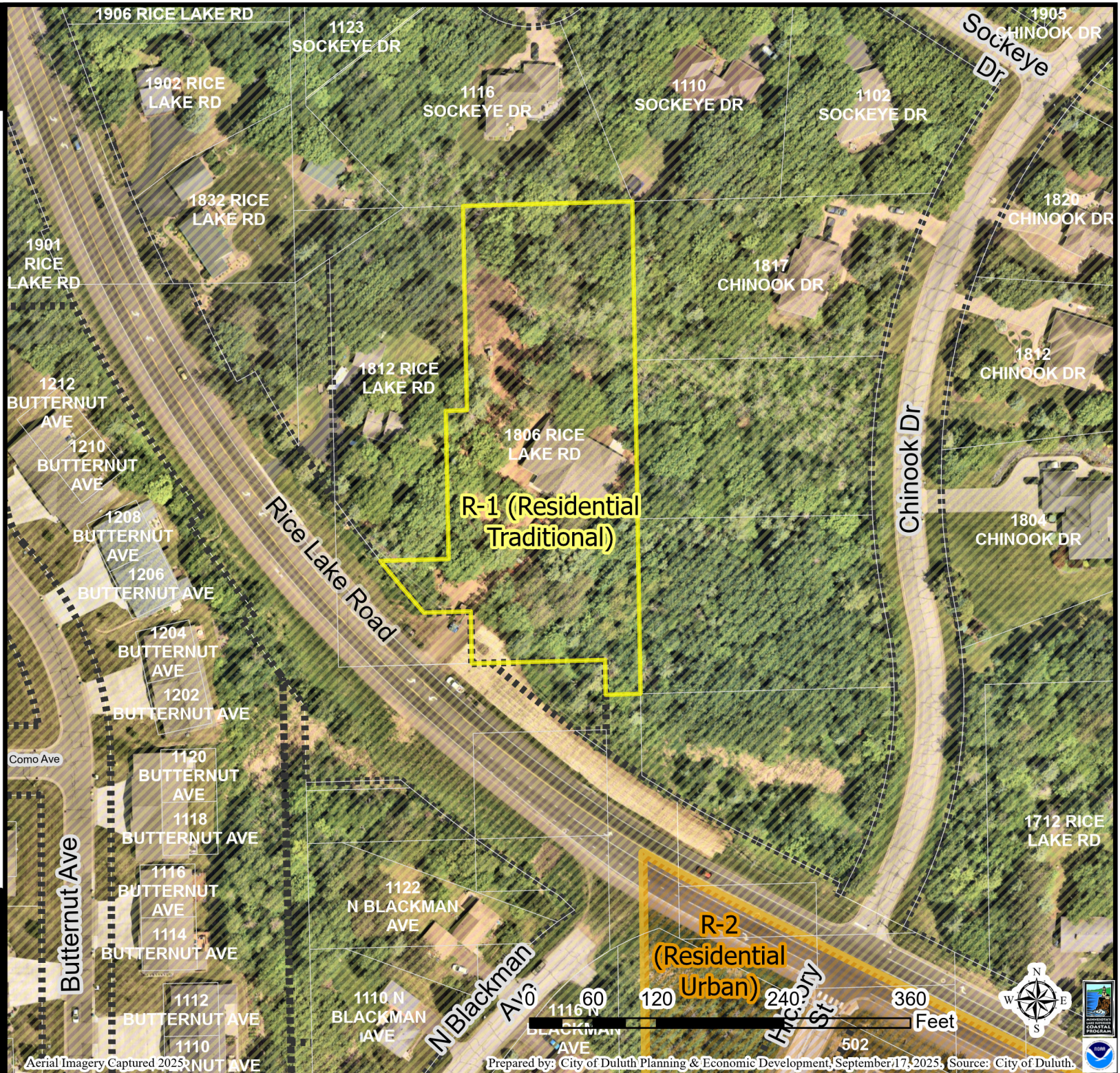
- Road or Alley ROW
- County Parcel Data

Zoning

UDC Zoning

- R-1 (Residential Traditional)
- R-2 (Residential Urban)

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LINE	BEARING	DISTANCE
L1	N34°25'36"E	95.98
L2	S88°46'57"W	130.60
L3	N30°17'50"E	44.40
L4	N59°42'10"W	14.00
L5	S30°17'50"W	52.99
L6	N88°46'57"E	16.42



CERTIFICATE OF SURVEY

CLIENT:GEORGE GOLDFARB
ADDRESS:VACANT PROPERTY RICE LAKE
RD, DULUTH, MN 55811
DATE:07-16-2024

REVISIONS:

JOB NO:24-093 SHEET 3 OF 3










ALTA
LAND SURVEY COMPANY
PHONE: 218-727-5211
LICENSED IN MN & WI
WWW. ALTALANDSURVEYDULUTH.COM

PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 364624
Lot 2 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 4 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 6 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 8 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 10 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 12 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 13 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 14 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH

East 20 feet of the South 40 feet of Lot 7 Block 25 TRIGGS AND KENNEDYS ADDITION TO DULUTH
East 20 feet of Lots 9 and 11 Block 25 TRIGGS AND KENNEDYS ADDITION TO DULUTH

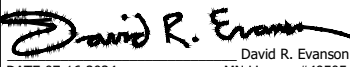

PARENT LEGAL DESCRIPTION PER DOCUMENT NO. 1003353
Lot 16, Block 25, together with that part of Connecticut Ave Adjacent thereto, TRIGG'S AND KENNEDY'S ADDITION TO DULUTH

LEGEND

	PROPOSED BUILDING	R/W-RIGHT OF WAY
	CROSS ACCESS EASEMENT	(M)-FIELD MEASURED DIMENSION
	REFER TO SURVEYOR'S NOTES	(R)-RECORD DIMENSION
	FOUND IRON PIPE	POC-POINT OF COMMENCEMENT
	FOUND CAPPED REBAR RLS. NO. 49505	POB-POINT OF BEGINNING
	FOUND REBAR	_____ X _____ FENCE LINE
	FOUND CAPPED REBAR RLS. NO. 15294	_____ SECTION SUBDIVISION LINE
	FOUND CONCRETE MONUMENT	_____ CENTER LINE
	SET CAPPED REBAR RLS. NO. 49505	_____ RIGHT OF WAY LINE
		_____ SURVEY LINE
		_____ BOUNDARY LINE AS SURVEYED
		_____ EXISTING PLAT LINE
		_____ PROPOSED PARCEL LINE
		_____ PROPOSED EASEMENT LINE

SURVEYOR'S NOTES

- THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 1, BRISTOLWOOD AS MONUMENTED. THIS LINE IS ALSO THE CENTERLINE OF VACATED KELLY STREET PER TRIGGS & KENNEDY'S ADDITION TO DULUTH.
- VACATION OF PARTRIDGE STREET, CONNECTICUT AVENUE AND KELLY STREET IN THE PLAT OF TRIGGS & KENNEDY'S ADDITION TO DULUTH PER DOCUMENT NO. 618847.
- LOCATION OF LARGE OAK TREE AS REQUESTED BY CLIENT.
- THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
- BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)

<div>I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.</div> <div> David R. Evanson MN License #49505</div> <div>DATE:07-16-2024</div>	CERTIFICATE OF SURVEY		<div> ALTA LAND SURVEY COMPANY</div> <div>PHONE: 218-727-5211 LICENSED IN MN & WI WWW. ALTALANDSURVEYDULUTH.COM</div>
	CLIENT:GEORGE GOLDFARB	REVISIONS:	
	ADDRESS:VACANT PROPERTY RICE LAKE RD, DULUTH, MN 55811		
	DATE:07-16-2024	JOB NO:24-093	
	SHEET 1 OF 3		

LEGAL DESCRIPTION OF PARCEL A

All that part of Lots 4, 6, 8, 10, 12, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Beginning at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 30 degrees 17 minutes 50 seconds East 251.36 feet; thence South 89 degrees 02 minutes 52 seconds East 34.04 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 235.06 feet to the Easterly extension of the South line of said Lot 16; thence South 88 degrees 48 minutes 46 seconds West, along said Easterly extension and along said South line of Lot 16 for a distance of 163.01 feet to the point of beginning. Said parcel contains 24,676 square feet or 0.57 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL B

All that part of Lots 4, 6, 8, 10, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 89.25 feet; North 89 degrees 02 minutes 52 seconds West 34.04 feet; thence South 30 degrees 17 minutes 50 seconds West 251.36 feet to the West line of said Lot 16; thence North 00 degrees 34 minutes 27 seconds West, along said West line 28.00 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West, along said South line 12.11 feet to the point of beginning. Said parcel contains 17,370 square feet or 0.40 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL C

All that part of Lots 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue and that part of vacated Partridge Street lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence North 00 degrees 34 minutes 27 seconds West, along said centerline 108.76 feet to the centerline of said vacated Partridge Street; thence South 88 degrees 46 minutes 57 seconds West, along said centerline 163.01 feet to the Northerly extension of the West line of said Lot 2; thence South 00 degrees 34 minutes 27 seconds East, along said Northerly extension and along the West line of said Lots 2, 4, 6 and 8 for a distance of 193.01 feet to a line parallel with and distant 10.00 feet South of the North line of said Lot 7; thence South 88 degrees 46 minutes 57 seconds West, along said parallel line 20.00 feet to a line parallel with and distant 20.00 feet West of the East line of said Lots 7, 9 and 11; thence South 00 degrees 34 minutes 27 seconds East, along said parallel line 140.01 feet to the South line of said Lot 11; thence South 88 degrees 46 minutes 57 seconds West, along said South line 55.55 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said South line 17.19 feet to the point of beginning. Said parcel contains 33,980 square feet or 0.78 acres.

LEGAL DESCRIPTION OF CROSS ACCESS EASEMENT AFFECTING PARCELS A, B & C

SUBJECT TO AND TOGETHER WITH: An easement for cross access purposes lying over, under and across part of Lots 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet to the point of beginning of said easement; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12; thence South 88 degrees 46 minutes 57 seconds West, along said South line 130.60 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said South line 29.30 feet to the West line of said Lot 16; thence South 00 degrees 34 minutes 27 seconds East, along said West line 28.00 feet to the point of beginning. Said easement contains 4,790 square feet or 0.11 acres.

CERTIFICATE OF SURVEY

CLIENT:GEORGE GOLDFARB


ADDRESS:VACANT PROPERTY RICE LAKE RD, DULUTH, MN 55811

DATE:07-16-2024

REVISIONS:

JOB NO:24-093

SHEET 2 OF 3



ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW. ALTALANDSURVEYDULUTH.COM

LEGAL DESCRIPTION OF PARCEL A

All that part of Lots 4, 6, 8, 10, 12, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Beginning at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 30 degrees 17 minutes 50 seconds East 251.36 feet; thence South 89 degrees 02 minutes 52 seconds East 34.04 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 235.06 feet to the Easterly extension of the South line of said Lot 16; thence South 88 degrees 48 minutes 46 seconds West, along said Easterly extension and along said South line of Lot 16 for a distance of 163.01 feet to the point of beginning. Said parcel contains 24,676 square feet or 0.57 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL B

All that part of Lots 4, 6, 8, 10, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 89.25 feet; North 89 degrees 02 minutes 52 seconds West 34.04 feet; thence South 30 degrees 17 minutes 50 seconds West 251.36 feet to the West line of said Lot 16; thence North 00 degrees 34 minutes 27 seconds West, along said West line 28.00 feet to the South

line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West, along said South line 12.11 feet to the point of beginning. Said parcel contains 17,370 square feet or 0.40 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL C

All that part of Lots 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue and that part of vacated Partridge Street lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence North 00 degrees 34 minutes 27 seconds West, along said centerline 108.76 feet to the centerline of said vacated Partridge Street; thence South 88 degrees 46 minutes 57 seconds West, along said centerline 163.01 feet to the Northerly extension of the West line of said Lot 2; thence South 00 degrees 34 minutes 27 seconds East, along said Northerly extension and along the West line of said Lots 2, 4, 6 and 8 for a distance of 193.01 feet to a line parallel with and distant 10.00 feet South of the North line of said Lot 7; thence South 88 degrees 46 minutes 57 seconds West, along said parallel line 20.00 feet to a line parallel with and distant 20.00 feet West of the East line of said Lots 7, 9 and 11; thence South 00 degrees 34 minutes 27 seconds East, along said parallel line 140.01 feet to the South line of said Lot 11; thence South 88 degrees 46 minutes 57 seconds West, along said South line 55.55 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said

South line 17.19 feet to the point of beginning. Said parcel contains 33,980 square feet or 0.78 acres.

LEGAL DESCRIPTION OF CROSS ACCESS EASEMENT AFFECTING PARCELS A, B & C

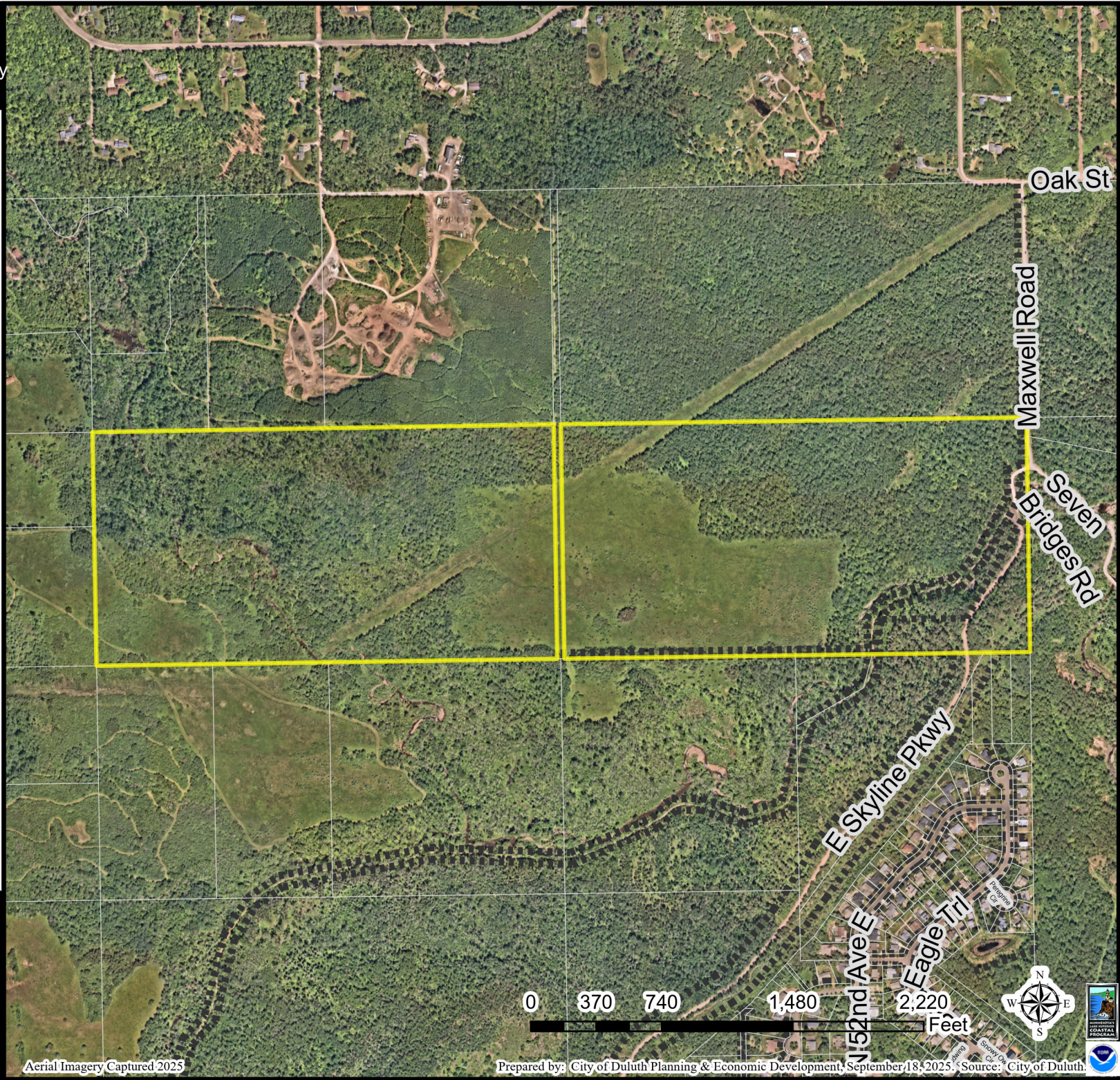
SUBJECT TO AND TOGETHER WITH: An easement for cross access purposes lying over, under and across part of Lots 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet to the point of beginning of said easement; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12; thence South 88 degrees 46 minutes 57 seconds West, along said South line 130.60 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said South line 29.30 feet to the West line of said Lot 16; thence South 00 degrees 34 minutes 27 seconds East, along said West line 28.00 feet to the point of beginning. Said easement contains 4,790 square feet or 0.11 acres.



PLSUP-2509-0063

Special Use Permit for Solar Facility
3201 Maxwell Rd

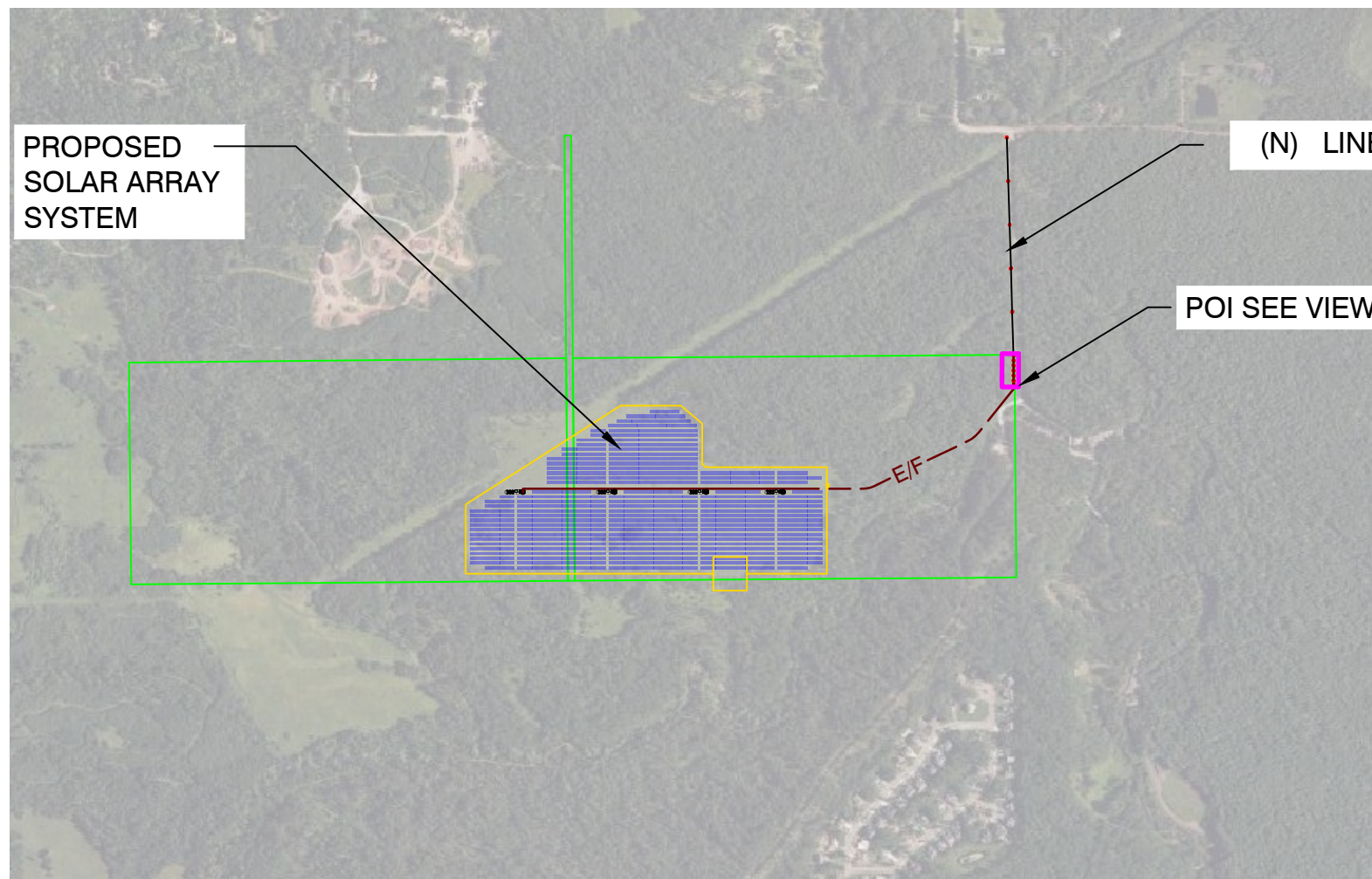


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, September 18, 2025. Source: City of Duluth





D1 OVERALL PROJECT

TABLE E2: BESS INTERACTIVE POWER SYSTEM RATINGS	
SYSTEM	2 HR STORAGE, DC-COUPLED
ESS DC PEAK OUTPUT CAPACITY	20 MWh
AC GENERATING CAPACITY *	10,000 kW
ESS CAPACITY PER CONTAINER	5 MWh
ESS CONTAINER QUANTITY	4

* OUTPUT BASED ON SCADA PLANT CONTROLLER AT POC. REFER TO POWER STUDY.

LEGEND	
	20 FT WIDE SITE ACCESS GRAVEL ROAD
	U/G MEDIUM VOLTAGE CABLE
	PROJECT SITE SECURITY FENCE
	PROPERTY LINE
	OVERHEAD POWER LINES
	U/G MEDIUM VOLTAGE CABLE & FIBER

TABLE E1: PV INTERACTIVE POWER SYSTEM RATINGS	
SYSTEM	
DC PEAK OUTPUT CAPACITY	14,999.335 kW
AC GENERATING CAPACITY *	10.0 MW
DC/AC RATIO (AVERAGE)	1.50
DC/AC RATIO (MAX AC)	1.50
UL 1741 (SB 3) INVERTER	SMA
INVERTER MODEL	SC 3060 UP-SC
INVERTER RATING @35°C	3,067.00 kW
QUANTITY	4
MODULES	HELIENE
MODULE SPEC #	156HC M10 NTYP SL 635
WATTAGE (STC)	635 W
QUANTITY	23,621
MODULES PER STRING	23
TOTAL # OF STRINGS	1027
STEP-UP TRANSFORMER	13.8kV Yg: 690V Δ, (4) 3,000kVA
RACKING	FIXED TILT
TILT ANGLE / AZIMUTH	30°/180°
TABLE FORMAT	2PxVARIOUS

* OUTPUT BASED ON SCADA PLANT CONTROLLER AT POC. REFER TO POWER STUDY.

- GENERAL NOTES
- REFER TO SINGLE LINE DIAGRAM FOR DETAILS.
 - INSTALLATION TO COMPLY WITH NEC 2017 ARTICLE 690 AND ALL APPLICABLE UTILITY, LOCAL, STATE AND NATIONAL CODES OR REGULATIONS.
 - EQUIPMENT SHALL BE LABELED PER NEC 690 AND UTILITY REGULATIONS.
 - 20 FT ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, MAINTENANCE, AND UTILITY TRAFFIC THROUGHOUT THE SITE. REFER TO CIVIL DRAWINGS.
 - PARCEL DATA FOR REFERENCE ONLY. REFER TO ORIGINAL WORK BY OTHERS.
 - CUSTOMER MAIN GENERATOR DISCONNECT TO BE LOCKABLE WITH 24-HOUR/7 DAY ACCESS AND CONTROL BY THE UTILITY AND THAT IT IS CAPABLE OF BEING LOCKED IN THE OPEN POSITION WITH A VISIBLE BREAK.
 - UTILITY EQUIPMENT IS SHOWN FOR REFERENCE PURPOSES ONLY. IS NOT FOR CONSTRUCTION, AND MAY BE CHANGED BY THE UTILITY AT ANY TIME IN THE FUTURE.
 - DESIGN IS CONCEPTUAL AND FOR INFORMATIONAL PURPOSES ONLY.



TOM COSBY
PROJECT COORDINATOR
333 BROADWAY, SUITE 460
TROY, NY 12180
(518) 326-0259
TOM.COSBY@EDENRENEWABLES.COM

ENGINEERING RESILIENT UTILITY-SCALE SOLAR & ESS

JOSEPH NOVAK, P.E., MSE, MBA, S.P.
5126 SEWARD RD., BRENTWOOD, TN 37027
J.W.NOVAK@IEEE.ORG
(615) 538-8519

Professional Engineer
SEAL REMOVED FOR UNCONTROLLED ELECTRONIC DISTRIBUTION. REFER TO ORIGINAL SIGNED WORK. NO PART OF THIS WORK SHOULD BE INCORPORATED INTO WORK BY OTHERS WITHOUT INFORMING THE EOR IN WRITING.
Signature: REMOVED - FOR SYSTEMS STUDY ONLY
Typed or Printed Name: JOSEPH WILLIAM NOVAK
Date: 05/27/2025 License Number: 61830

PRELIMINARY - NOT FOR CONSTRUCTION

AMITY CREEK
SOLAR, LLC.

2134 SOUTH BEATTY ROAD
COOK, MN 55723
LAT: 47.880638°
LON: -92.68371°

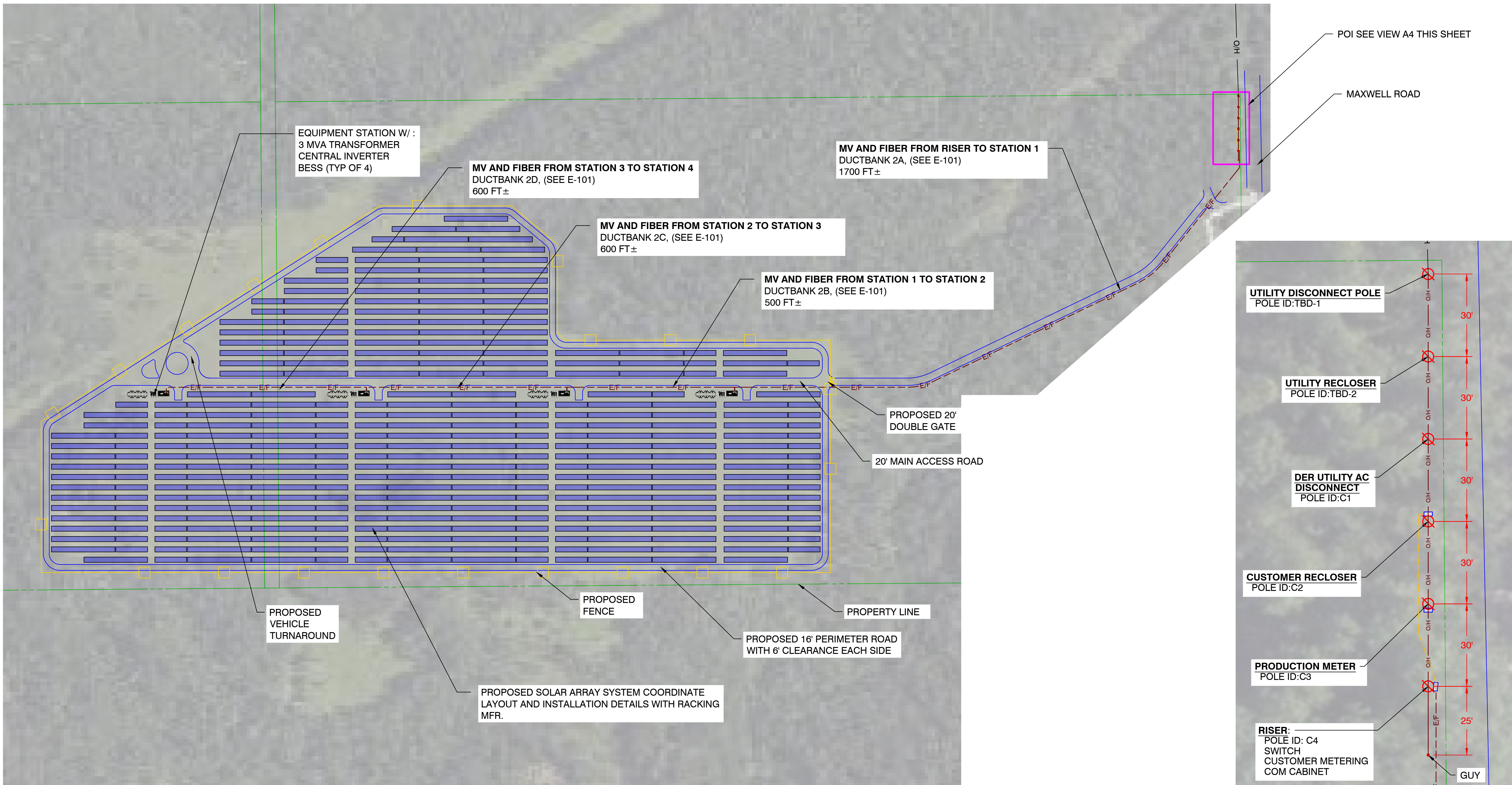
REV. NO	DESCRIPTION	DATE
1	PERIMETER ROAD	05/27/2025
0	FOR UTILITY APPLICATION	04/24/2025

SHEET TITLE:
SITE LAYOUT

PROJ. MGR. TC	PROJ. ENGR. BN	DATE: 04/24/2025
DRAWN BY: BN	CHECKED BY: JN	SCALE: AS NOTED

DRAWING NO.

E-100



A1 ELECTRICAL SITE LAYOUT PLAN

A4 ZOOM OF INTERCONNECTION

CONFIDENTIALITY STATEMENT: THIS DRAWING IS THE PROPERTY OF JOSEPH NOVAK, P.E., S.P. THIS INFORMATION IS CONFIDENTIAL AND IS TO BE USED ONLY IN CONNECTION WITH WORK DESCRIBED HEREIN. NO PART IS TO BE DISCLOSED TO OTHERS WITHOUT WRITTEN PERMISSION. COPYRIGHT 2025.

diverse range of native flora and fauna, including pollinators, songbirds, gamebirds, wildflowers, and prairie grasses. Targeted habitat creation and long-term land management will contribute to measurable biodiversity net gains, enhance ecological resilience, and improve the long-term environmental health of the surrounding community.

2.4 (a) BMP

The project will incorporate a comprehensive Biodiversity Management Plan (BMP) to guide environmental stewardship throughout the project's operational life, consistent with the provisions of Minnesota Statutes § 216B.1642, *Solar Site Management*. The statute encourages ground-mounted solar projects exceeding 40 kilowatts to incorporate site management practices that establish native perennial vegetation, provide foraging habitat for gamebirds, songbirds, and pollinators, and reduce stormwater runoff and erosion. In alignment with these practices, Eden will utilize native seed mixes and plant species tailored to the site's specific conditions, such as soil type, geotechnical features, topography, hydrology and PV array configuration. Where relevant, planting will be guided by the Minnesota Department of Natural Resources' *Prairie Establishment & Maintenance Technical Guidance for Solar Projects* to ensure that ecological outcomes are both effective and durable.

The BMP includes the establishment of pollinator-friendly vegetation, targeted invasive species management, and site-specific habitat enhancements that will improve ecological conditions on and around the facility.

10,000 sq ft must do tree replacement. Eden has been informed by City staff that this requirement is waived due to the carbon reduction nature of the project.

Sec 50-18.1.D of the Duluth zoning code, as we understand, requires setbacks of 75' for impervious surfaces and roads from Amity Creek.

3.3 Stormwater management

Our engineering and construction designs follow all MPCA Construction Stormwater General Permit requirements under the MPCA Construction Stormwater Program and the City of Duluth UDC stormwater standards. Amity Creek, a sensitive, designated trout stream, requires special attention to mitigate potential pollution impacts. Engineering work will culminate in a Storm Water Pollution Prevention Plan (SWPPP) completed prior to construction permitting.

3.4 Wetland Delineation

A desktop analysis showed no indication of wetlands, although a site visit showed a potentially sensitive area where a wetland drainage feature may be present. This was identified by a small area of saturated ground, 3-foot-wide at the widest point, propagating an invasive wetland reed canary grass.

A wetland delineation is scheduled for the 2025 growing season. Amity Creek Solar will follow the Minnesota Board of Water and Soil Resources (BWSR) and/or the US Army Corps of Engineers regulations for all work associated with wetlands.

3.5 Community Acceptance

Eden emphasizes meaningful community engagement in our development projects. For the Amity Creek Solar project, Eden is committed to proactive, transparent, and effective communication with local residents and project stakeholders. Eden's approach prioritizes building trust, fostering open dialogue with a willingness to listen and educate, while addressing concerns and promoting community support.

Examples of how Eden has onboarded feedback from local residents to improve our solar farm designs include:

- Additional screening for impacted properties that has been deployed on a number of Eden projects.
- A shift from pole-mounted to pad-mounted POIs to minimise the visual impact.



PLUMA-2509-0006

Miller/Coffee Creek Shoreland Designations

Legend

 Subject Stream Sections

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Engineering

Room 240
411 West First Street
Duluth, Minnesota 55802

218-730-5200

MEMORANDUM

DATE: September 10, 2025

TO: Jenn Moses, Land Use Supervisor

FROM: Cindy Voigt, City Engineer

Dear Ms. Moses,

City Planning staff requested the City Engineer's interpretation regarding the shoreland designation for sections of Miller and Coffee Creeks that were not specified as a part of the initial Natural Resource Overlay. Sec 50-18.1.A.2(d) provides direction for this determination as follows, "Where interpretation is needed as to the exact location of any boundary as shown on an official map, the city engineer shall make the necessary interpretation based on available technical data...".

The below facts support the designation of these sections of Miller and Coffee Creeks as cold-water shorelands.

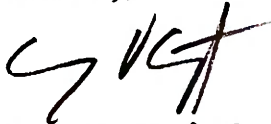
- Both Coffee Cr and Miller Cr are public waters identified by the Minnesota Department of Natural Resources (DNR).
- The Minnesota DNR identifies these as trout streams since they support sensitive trout species.
- Trout have been observed within the subject section of Miller Creek and it is reasonable to expect these fish will access the recently daylight section of Coffee Creek since they are hydrologically connected. Further, upstream sections of Coffee Creek support trout populations.
- Cold water designations have been applied to sections of other trout streams, such as Chester Cr, downstream of enclosed sections.

After reviewing the technical data, it is my opinion that the below identified sections of Miller and Coffee Creeks are cold-water creeks and all standards pertaining to cold water creeks found within Chapter 50 of the City's Unified Development Code shall apply.

- Coffee Cr- DNR Stream Identification Number S-002-000.7- from the outlet from the storm sewer system on parcel number 010-1110-00390 to the confluence with Miller Creek on parcel number 010-1110-00200.

- Miller Cr- DNR Stream Identification Number S-002-001- from the outlet from the storm sewer system below S 26th Ave W on Lots 415 and 416 and the vacated alley, Block 10 of Duluth Proper Second Division, parcel number 010-1100-00310 to the inlet below the Duluth Transit Authority facility in the vacated section of S 25th Ave W Northeasterly of Block 10 of Duluth Proper Second Division, parcel number 010-1110-00010.
- Miller Cr- DNR Identification Number S-002-001- from the outlet below the Duluth Transit Authority facility on Lot 2 of Duluth Proper Second Division, 1st Subdivision, parcel number 010-1110-00010 to the confluence with Coffee Creek on Lot 2 of Duluth Proper Second Division, 1st Subdivision, parcel number 010-1110-00200.
- From the confluence of Miller and Coffee Cr to the box culvert inlet within the I-35 right-of-way of Duluth Proper Second Division, 1st Subdivision.

Sincerely,



Cindy Voigt, P.E.
City Engineer

Attachment- Map of subject sections of Miller and Coffee Creeks



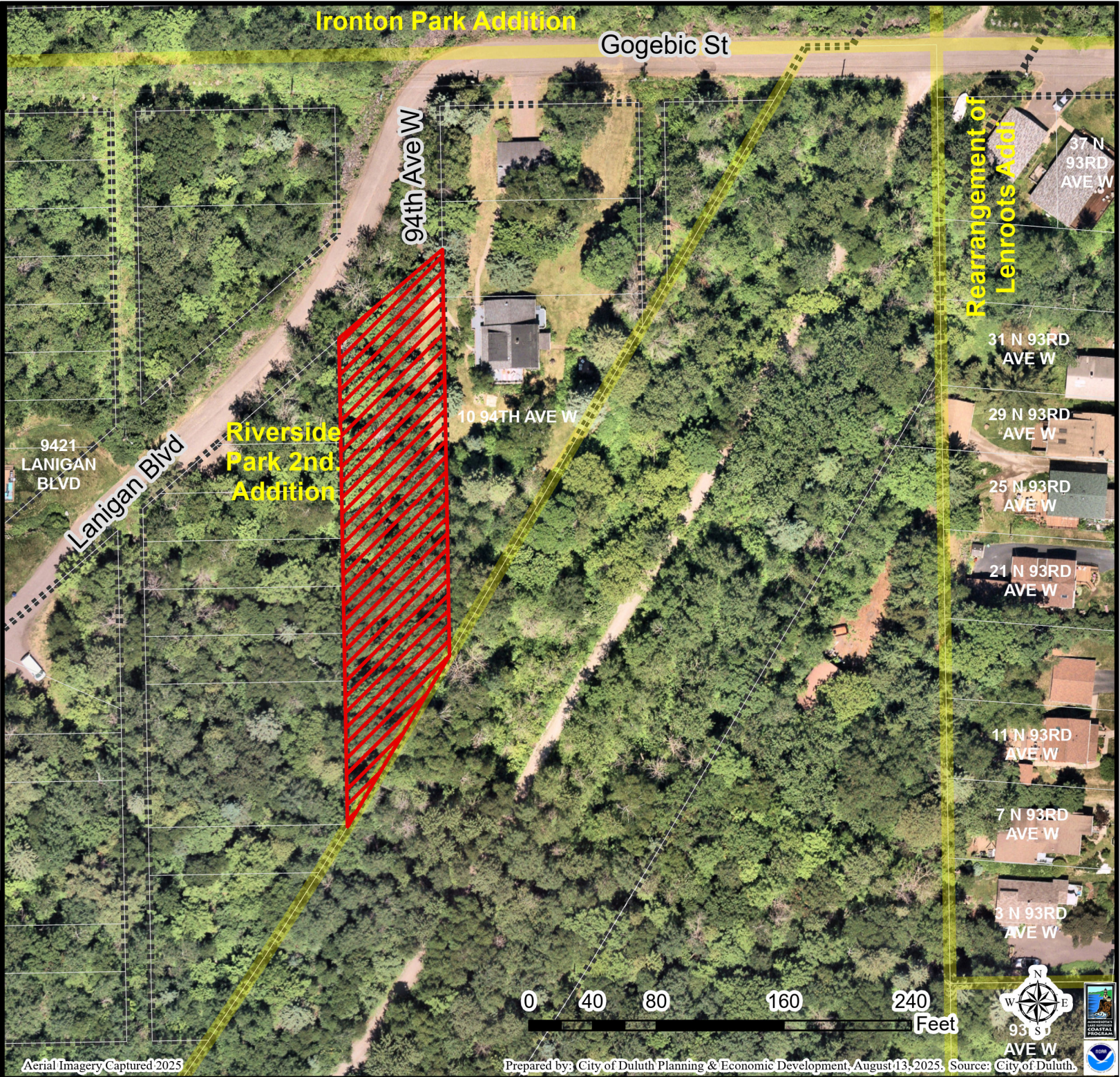
PLVAC-2509-0008

Vacation of Right-of-Way
10 94th Ave W

Legend

- Road or Alley ROW
- County Parcel Data
- ▨ Vacation Area

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VACATION DESCRIPTIONS:

That part of 94th Avenue West, as platted and dedicated in RIVER SIDE PARK 2ND ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, lying southeasterly of the northeasterly extension of the southeasterly right of way line of Lanigan Boulevard, as platted and dedicated in said RIVER SIDE PARK 2ND ADDITION TO DULUTH and lying northwesterly of the northeasterly extension of the northwesterly right of way line of the D.W. & P. Railroad, as platted and dedicated in said RIVER SIDE PARK 2ND ADDITION TO DULUTH.

SURVEYOR NOTES:

Orientation of the bearing system is based on the northwesterly line of Block 19, RIVER SIDE PARK SECOND ADDITION TO DULUTH to have a bearing of S 49°02'50" W.

JPJ Engineering has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

Area of vacation is 18,777 square feet or 0.4311 acres \pm .

Approved by:

City Engineer

Date

CERTIFICATION:

I hereby certify that survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Signed this 8th day of September, 2025 for JPJ Engineering, Inc.


Austin J. Gotchnik, PLS License Number 62293

VACATION EXHIBIT:

For: Sumair Sheikh

PROJECT NUMBER

25-522

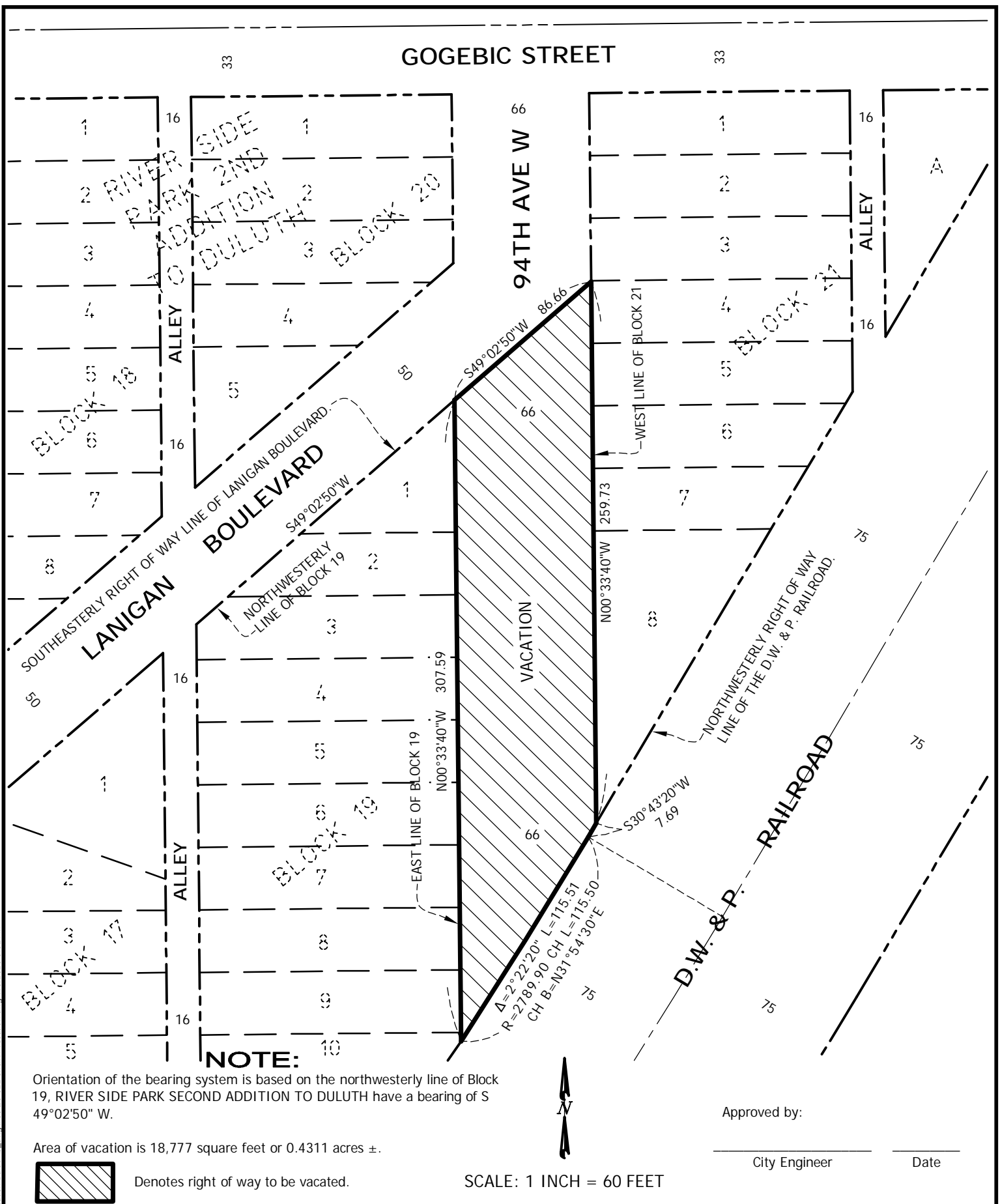
SHEET NUMBER

1 of 2 Sheets



425 Grant Street
PO Box 656
Hibbing, MN 55746
(218) 262-5528
www.jpjeng.com

T:\Sheikh Sumair\25-522 Vacation Duluth\3_dwg\700025-522 Sheikh Vacation.dwg 9/8/2025 3:32 PM



NOTE:
Orientation of the bearing system is based on the northwesterly line of Block 19, RIVER SIDE PARK SECOND ADDITION TO DULUTH have a bearing of S 49°02'50" W.

Area of vacation is 18,777 square feet or 0.4311 acres ±.



Denotes right of way to be vacated.

SCALE: 1 INCH = 60 FEET

Approved by: _____
City Engineer Date



425 Grant Street
PO Box 656
Hibbing, MN 55746
(218) 262-5528
www.jpjeng.com

VACATION EXHIBIT:

For: Sumair Sheikh

PROJECT NUMBER
25-522
SHEET NUMBER
2 of 2 Sheets

Petition to Vacate Street, Alley, or Utility Easement

Name: Sumair Sheikh

Description of street, alley, or easement to vacate: Platted as 94th Ave W. South of Gogebic St. Adjacent (West) to property located at 10 94th Ave W

My request for this vacation is to (indicate purpose of vacation):
The property has limited area to drill a deep well (current need), the vacation would allow more area for this purpose. This also would add to area to the property conforming it closer its current RR-1 zoning.

The City of Duluth will not need this street, alley, or easement in the future because:
The city engineer, Bill Bergstrom, stated that the city has no reason to retain since there are no utilities and available to serve the adjacent property, and the other parcels west of this are not desirable for development given lack of utility access and terrain issues.

PLEASE TAKE NOTICE: Pursuant to Section 50-37.6 of the Duluth City Code, the above-identified applicant(s) petition the Duluth City Council to vacate the street, alley, or easement described in the attached legal description.

This petition is made upon the following facts and reasons (Identify the factual basis and reasons supporting the petition) ¹:

Upon review of the area by and conversation with City Engineer, Bill Bergstrom, the requested area is not desirable for development. For the reason to provide more possible land to drill a deep well and supply reliable and sustainable water for the adjacent property.

This petition is supported by a majority of the person(s) who own a majority of the lineal frontage of the land abutting upon the portion of the public easement proposed to be vacated. A copy of the signatures of these persons is attached hereto and made a part hereof. ²

The petitioner(s) agree to provide the city with a plat of the easement(s) as required by Section 50-37.6B(3) of the Duluth City Code upon approval of the vacation. We understand that the vacation cannot occur without the submission of the required plat. We understand that the cost of producing the plat is the responsibility of the petitioner(s). We also understand that the approval will lapse and be of no effect if the plat and clerk certification is not recorded with the county recorder within 90 days after final approval.

Signature(s):



Date: 9.9.2025

Notice: This is public data.

¹ In order to vacate a public easement it must be demonstrated that the easement is useless for the purpose for which it was

dedicated.

² If a property is owned in joint tenancy or by tenants in common, each individual with an ownership interest will be counted to determine if a majority of owners have signed the petition. An owner cannot sign for another owner unless legally authorized to do so, i.e power of attorney, trustee, or court approved guardianship or conservatorship.



PLVAC-2509-0009

Vacation of Drainage Easement
Atlas Pkwy & Precision Ave

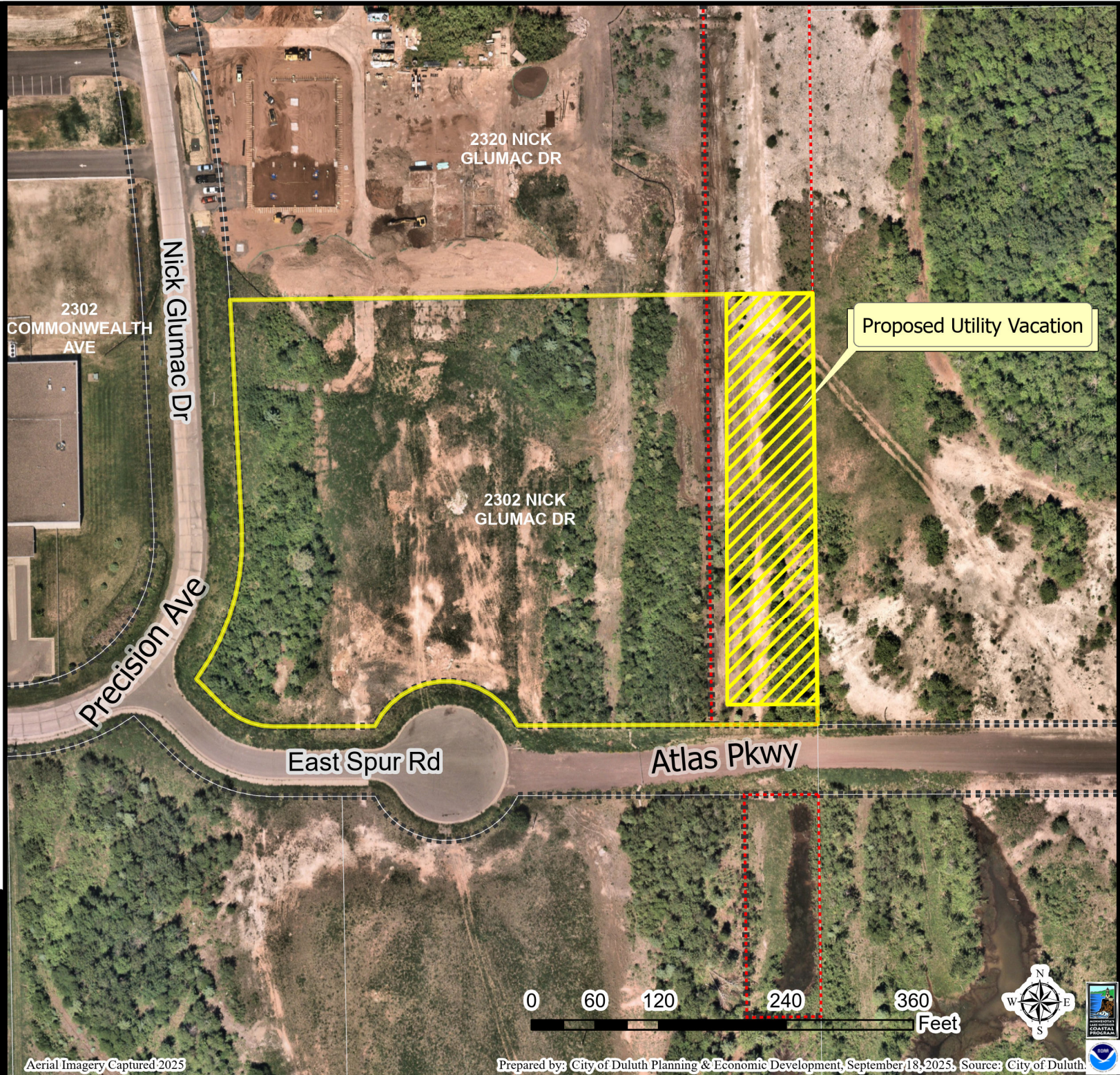
Legend

■■■■ Road or Alley ROW

□ County Parcel Data

Easement Type

▤ Utility Easement



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ATLAS

LEGAL DESCRIPTION OF VACATION OF PORTION OF DRAINAGE EASEMENT

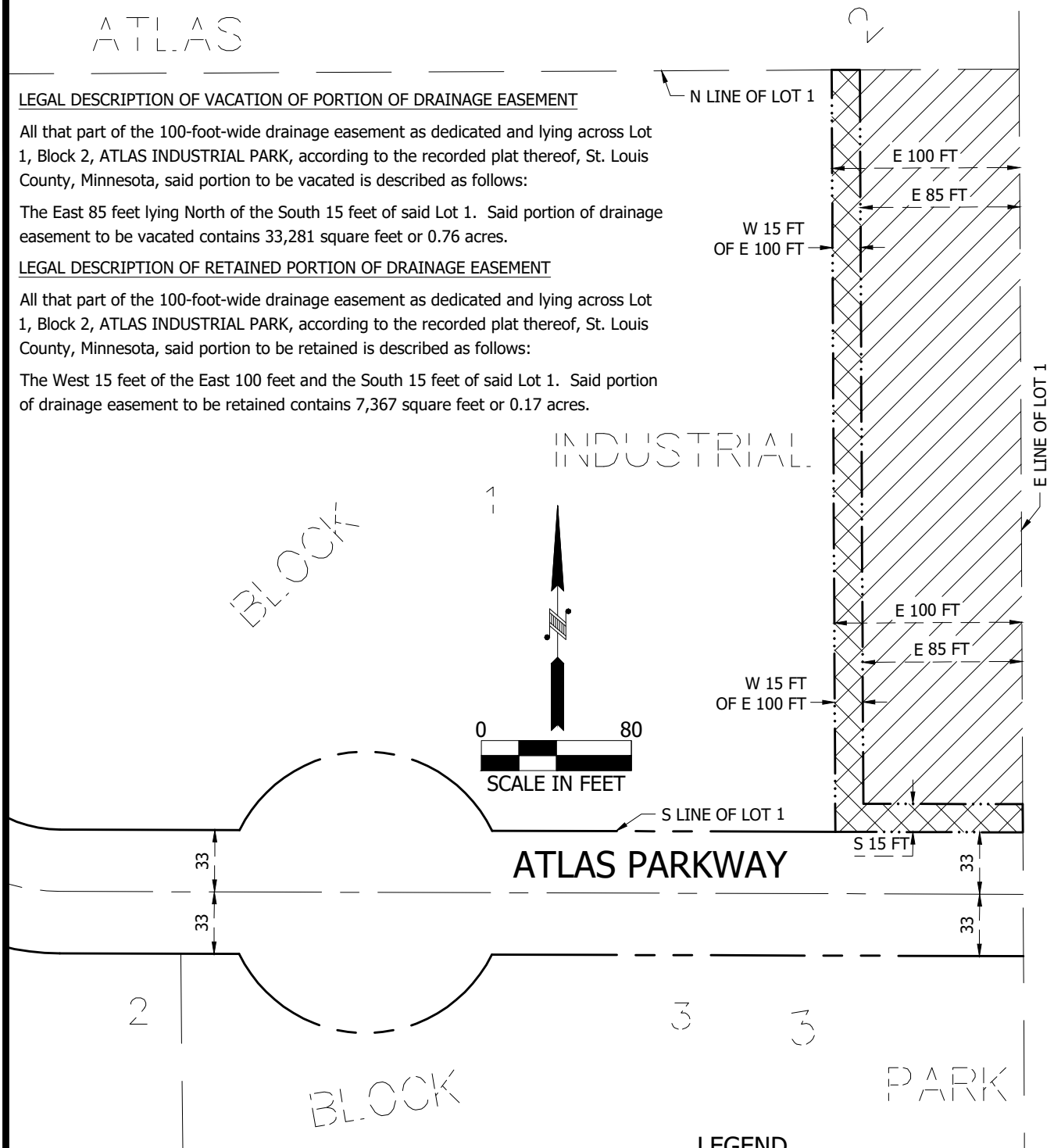
All that part of the 100-foot-wide drainage easement as dedicated and lying across Lot 1, Block 2, ATLAS INDUSTRIAL PARK, according to the recorded plat thereof, St. Louis County, Minnesota, said portion to be vacated is described as follows:

The East 85 feet lying North of the South 15 feet of said Lot 1. Said portion of drainage easement to be vacated contains 33,281 square feet or 0.76 acres.

LEGAL DESCRIPTION OF RETAINED PORTION OF DRAINAGE EASEMENT

All that part of the 100-foot-wide drainage easement as dedicated and lying across Lot 1, Block 2, ATLAS INDUSTRIAL PARK, according to the recorded plat thereof, St. Louis County, Minnesota, said portion to be retained is described as follows:

The West 15 feet of the East 100 feet and the South 15 feet of said Lot 1. Said portion of drainage easement to be retained contains 7,367 square feet or 0.17 acres.



SURVEYOR'S NOTES

1. THIS IS NOT A BOUNDARY SURVEY.

Approved by the City Engineer of the City of Duluth, MN this _____ day of _____ 20__

By _____

LEGEND



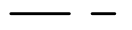
AREA OF DRAINAGE EASEMENT VACATION



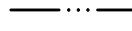
AREA OF RETAINED DRAINAGE EASEMENT



CENTER LINE



RIGHT OF WAY LINE



RETAINED EASEMENT LINE



EXISTING PLAT LINE

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evanson
David R. Evanson
MN License #49505
DATE: 09-16-2025

VACATION EXHIBIT

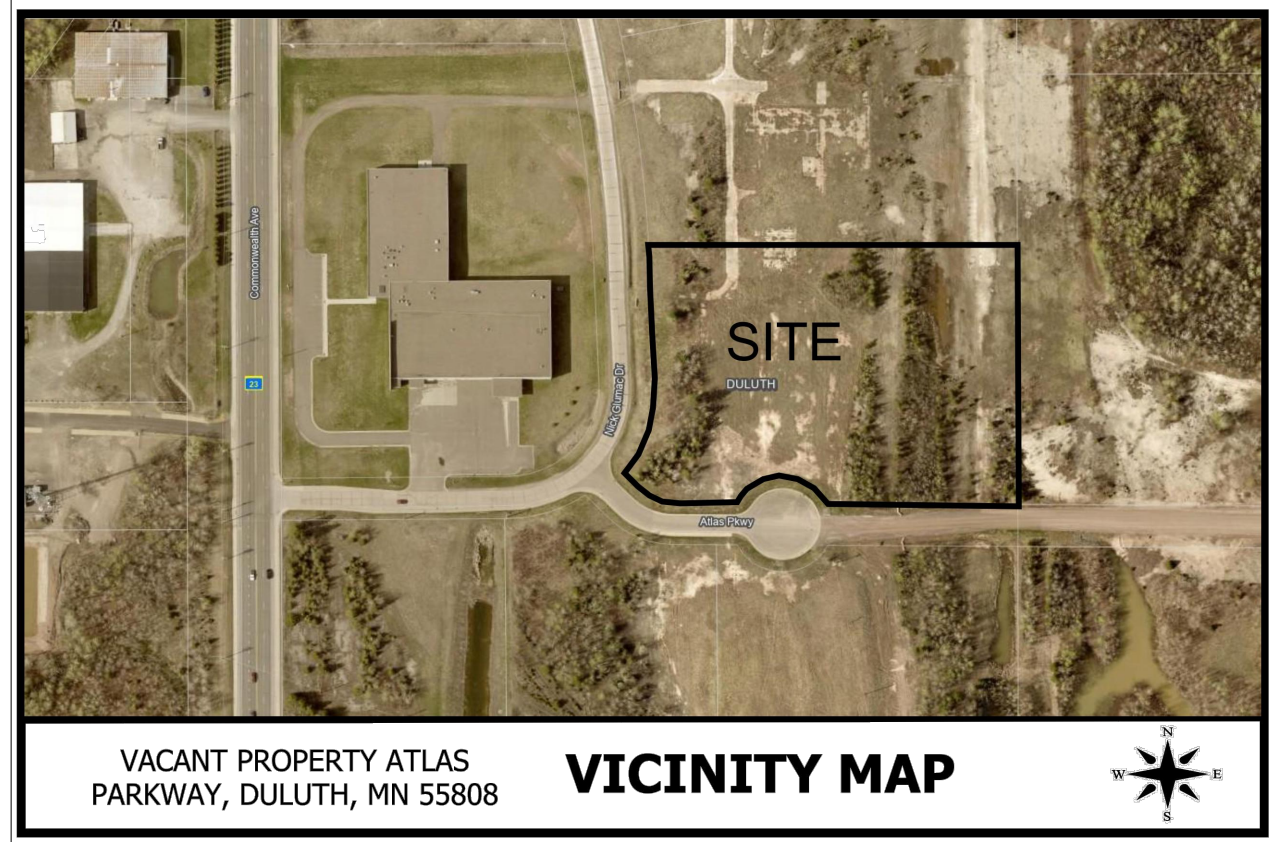
CLIENT: FITWELL INVESTMENTS LIMITED PARTNERSHIP
ADDRESS: VACANT PROPERTY ATLAS PARKWAY, DULUTH, MN 55808
DATE: 09-16-2025

REVISIONS:

JOB NO: 25-188 SHEET 1 OF 1

ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.COM



LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 368908
Lot 1, Block 2, ATLAS INDUSTRIAL PARK

UNDERGROUND UTILITIES NOTES

- UTILITIES SHOWN HEREON, HAVE BEEN PREPARED, IN PART, ON THE BASIS OF INFORMATION COMPILED AND FURNISHED BY OTHERS. THE SURVEYOR, ENGINEER AND ARCHITECT WILL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH HAVE BEEN INCORPORATED INTO THIS DOCUMENT AS A RESULT.
- UNDERGROUND UTILITIES SHOWN ON THE SURVEY ARE BASED IN PART ON MARKINGS PROVIDED BY GOWIER STATE ONE CALL TICKET NUMBER 251681445.
- SOME UTILITIES SHOWN ON THIS SURVEY HAVE BEEN LOCATED BY MAPS AND OR UTILITY SKETCHES PROVIDED BY UTILITY COMPANIES, CITY OR COUNTY GIS. LOCATIONS ARE APPROXIMATE.
- UTILITIES SHOWN ON THIS SURVEY ARE SHOWN FOR APPROXIMATE LOCATION ONLY AND SHOULD BE VERIFIED BEFORE ANY EXCAVATION OR CONSTRUCTION.
- PRIVATE UTILITIES MAY EXIST BUT ARE NOT SHOWN ON THIS SURVEY. CONTACT A PRIVATE UTILITY LOCATOR FOR LOCATIONS.
- FIELD VERIFY SANITARY AND STORM SEWER PIPE SIZE AND LOCATION.

LEGEND

	CONCRETE SURFACE		TOE OF BANK OR GRADE BREAK
	TOP OF BANK OR GRADE BREAK		CONCRETE CURB & GUTTER
	BITUMINOUS SURFACE		TREE/BRUSH LINE
	GRAVEL SURFACE		UNDERGROUND ELEC
	UNDERGROUND FIBER OPTIC		SANITARY SEWER
	STORM SEWER		UNDERGROUND WATER LINE
	CENTER LINE		RIGHT OF WAY LINE
	BOUNDARY LINE AS SURVEYED		EXISTING PLAT LINE
	EXISTING EASEMENT LINE		UTILITY SERVICE
	HYDRANT		WATER VALVE
	UTILITY VAULT		SOIL BORING
	FENCE POST		FOUND CAPPED REBAR RLS. NO. 44075
	SET CAPPED REBAR RLS. NO. 49505		ELEC TRANSFORMER
	SANITARY MANHOLE		STORM MANHOLE
	CATCH BASIN		CULVERT

SURVEYOR'S NOTES

- THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
- BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
- NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
- THIS IS NOT A BOUNDARY SURVEY.
- BENCHMARK SHOWN ON SURVEY.

