

...Title

RESOLUTION AUTHORIZING UTILITY EASEMENT AGREEMENT WITH ISD 709 NEAR DENFELD HIGH SCHOOL.

Body

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into a permanent utility easement agreement with ISD 709, a copy of which is attached hereto as Exhibit 1 at no cost to the city affecting property located in St. Louis County, Minnesota in vacated West 4th Street northwesterly of Block 8, GRAND CENTRAL DIVISION OF DULUTH.

Statement of Purpose

STATEMENT OF PURPOSE: The purpose of this resolution is to authorizing execution of an easement agreement with Independent School District No. 709 granting the City utility easements for existing utilities in vacated West 4th Street between Denfeld High School and Grand Avenue.

EXHIBIT 1

EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this ___ day of _____, 2016, by and between INDEPENDENT SCHOOL DISTRICT No. 709, an independent school district under the laws of the State of Minnesota, "Grantor" and the CITY OF DULUTH, a municipal corporation created and existing under the laws of the State of Minnesota, "Grantee":

WITNESSETH:

Whereas, Grantor is the owner of the property in St. Louis County, Minnesota legally described on Exhibit A attached hereto and made a part hereof (the "Property") and;

Whereas, Grantor wishes to convey to the Grantee easements as hereinafter described for utility purposes over the Property for the benefit of the Property and at no cost to Grantee.

NOW THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain and convey to Grantee in trust for the general public two permanent and perpetual easements for utility purposes over the Property, the location of which easement is more particularly described and are also shown on Exhibits B and C attached hereto and made a part hereof.

INDEPENDENT SCHOOL DISTRICT NO. 709, a
Minnesota independent school district

By: _____
It's President

By: _____
It's Board Clerk

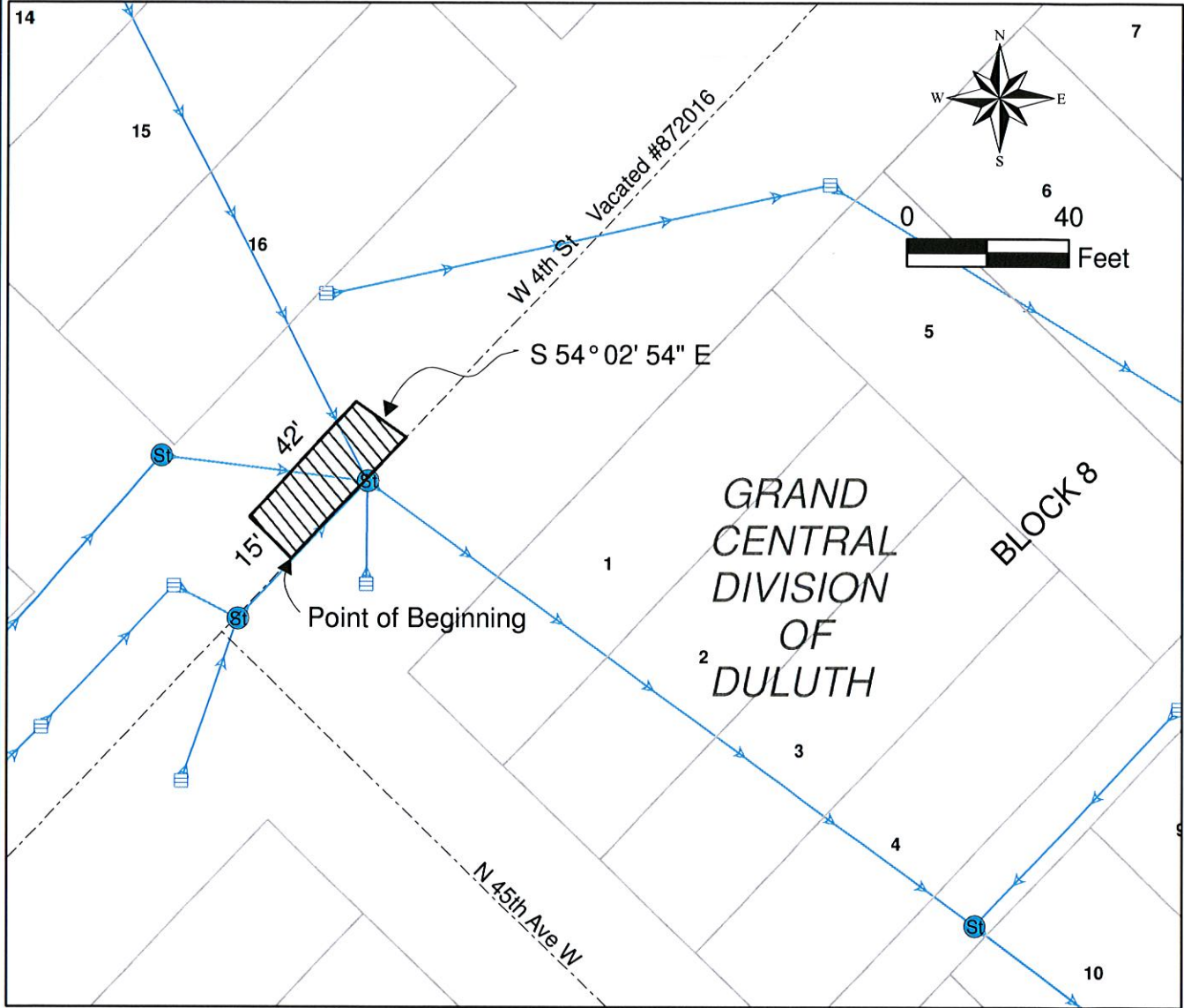
"Grantor"

Exhibit A

ST. LOUIS COUNTY LEGAL DESCRIPTION

Lots One (1) through Thirty-two (32) inclusive, Block Four (4), including that part of vacated West 4th Street adjacent to Lots Sixteen (16) and Seventeen (17), all in the plat of Grand Central Division of Duluth.

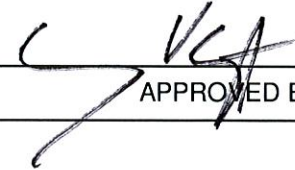
Exhibit B



 EASEMENT TO BE DEDICATED

An easement for storm water utility over, under, and across that part of vacated W 4th St in Grand Central Division of Duluth, described as follows:

From the Point of Beginning, which is the point of intersection of the northwesterly extension of the northeasterly line of the right of way of N 45th Ave W and the centerline of vacated W 4th St; thence northwesterly along the northwesterly extension of the northeasterly line of the right of way of N 45th Ave W on a bearing of N 42° 12' 14" W, a distance of 15 feet; thence northeasterly along a line parallel with the centerline of vacated W 4th St a distance of 42 feet; thence southeasterly on a bearing of S 54° 02' 54" E to the centerline of vacated W 4th St; thence southwesterly along the centerline of vacated W 4th St to the Point of Beginning.

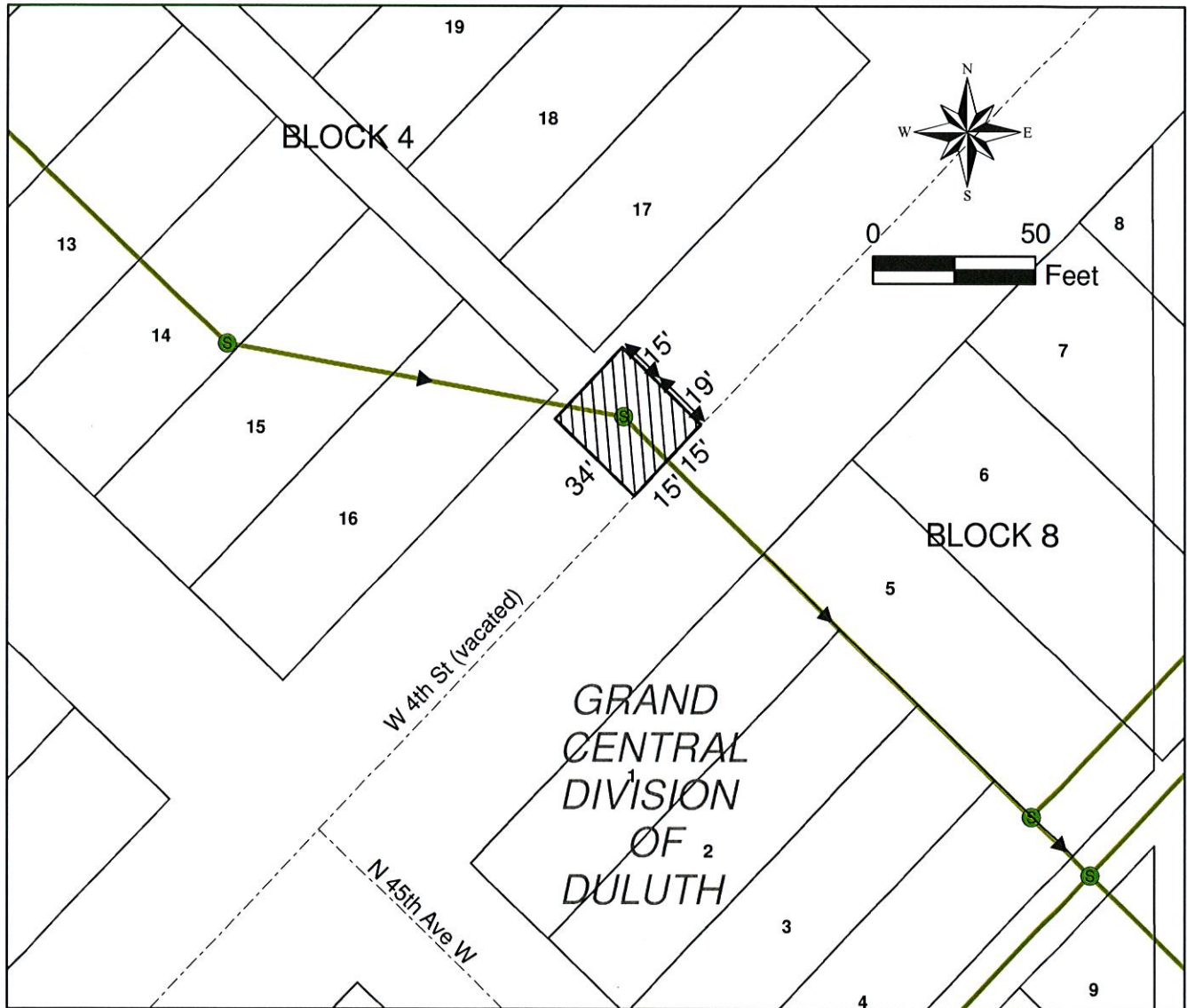


 APPROVED BY CITY ENGINEER

2-29-16

 DATE

Exhibit C



Proposed Utility Easement

Description:

An easement for utility purposes over, under and across the southeast 34.00 feet of the northwest half of vacated West 4th Street, as dedicated in Grand Central Division of Duluth according to the recorded plat thereof, bounded on the northeast by the northwesterly projection of a line that is parallel and offset 15.00 feet northeast of the northeast line of Lots 1 – 4, Block 8 of said Grand Central Division, and bounded on the southwest by the northwesterly projection of a line that is parallel and distant 15.00 feet southwest of the northeast line of said Lots 1 – 4.

[Signature]

 APPROVED BY CITY ENGINEER

2-29-16

 DATE