



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

|                             |                                     |                                                                                                                                       |                                 |                              |               |
|-----------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------------------|---------------|
| <b>File Number</b>          | PLVAC-2502-0002                     |                                                                                                                                       | <b>Contact</b>                  | Chris Lee, clee@duluthmn.gov |               |
| <b>Type</b>                 | Vacation of Platted Streets         |                                                                                                                                       | <b>Planning Commission Date</b> | May 13, 2025                 |               |
| <b>Deadline for Action</b>  | <b>Application Date</b>             | April 21, 2025                                                                                                                        | <b>60 Days</b>                  | N/A                          |               |
|                             | <b>Date Extension Letter Mailed</b> | April 29, 2025                                                                                                                        | <b>120 Days</b>                 | N/A                          |               |
| <b>Location of Subject</b>  |                                     | Near 625 125 <sup>th</sup> Ave W                                                                                                      |                                 |                              |               |
| <b>Applicant</b>            | Reed & Mistica Blazevic             |                                                                                                                                       | <b>Contact</b>                  |                              |               |
| <b>Agent</b>                |                                     |                                                                                                                                       | <b>Contact</b>                  |                              |               |
| <b>Legal Description</b>    |                                     | See Attached. PIN: 010-1760-02880, 010-1760-02860, 010-1760-01380, 010-1760-01670, 010-1760-01620, 010-1760-01000, and 010-1760-01380 |                                 |                              |               |
| <b>Site Visit Date</b>      |                                     | April 14, 2025                                                                                                                        | <b>Sign Notice Date</b>         |                              | April 8, 2025 |
| <b>Neighbor Letter Date</b> |                                     | March 20, 2025                                                                                                                        | <b>Number of Letters Sent</b>   |                              | 6             |

**Proposal:** The applicant is requesting to vacate 150' x 30' of platted Second Avenue on both side of 125<sup>th</sup> Avenue West. A 300' x 300' x 33' portion of the north end of 125<sup>th</sup> Avenue West and platted Third Avenue is proposed to be vacated with an easement retained over it for circulation.

**Recommended Action:** Staff recommends that Planning Commission recommend approval to City Council with conditions.

|                | <b>Current Zoning</b> | <b>Existing Land Use</b> | <b>Future Land Use Map Designation</b> |
|----------------|-----------------------|--------------------------|----------------------------------------|
| <b>Subject</b> | R-1                   | Residential              | Low-density Neighborhood               |
| <b>North</b>   | R-1                   | Undeveloped              | Open Space                             |
| <b>South</b>   | R-1                   | Undeveloped              | Traditional Neighborhood               |
| <b>East</b>    | R-1                   | Undeveloped              | Low-density Neighborhood               |
| <b>West</b>    | R-1                   | Undeveloped              | Traditional Neighborhood               |

**Summary of Code Requirements:**

Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;
3. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

**Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):**

**Governing Principle #1** – Reuse previously developed lands- Reuse of previously developed lands... strengthens neighborhoods and is preferred to a dispersed development pattern with associated alteration of natural landscapes and extensions of public services. Site preparation or building modification costs are offset by savings in existing public infrastructure such as streets and utilities, and transit, fire, and police services. The vacation will allow for the property owner to make improvements to their property.

**Future Land Use** - Low Density Neighborhood: Single-family housing with urban services. Typified by curvilinear streets, houses with longer dimension parallel to street, and attached garages. Includes a range of house sizes and lot sizes.

**Review and Discussion Items:**

Staff finds that:

1. The applicant is requesting to vacate 150' x 30' of platted Second Avenue on both sides of 125th Avenue West affecting Lot 8 of Block 9 and Lot 9 or Block 10. A 300' x 300' x 33' portion of the north end of 125th Avenue West and platted Third Avenue is proposed to be vacated affecting Lots 1, 2, and 3 of Block 9 and Lots 14, 15, and 16 of Block 10 and Lots 1, 2, and 3 of Block 22 and Lot 1 of Block 21. All of the vacated area is within the East Fond Du Lac Plat.
2. A 300' x 300' x 33' portion of the north end of 125th Avenue West and Third Avenue will have a utility easement retained for circulation. This was a request from City Engineering.
3. The proposed vacation will allow the adjacent property owner to make property improvements.
4. The streets proposed to be vacated were platted but never utilized for their intended purposes. The northern most portion of the 125<sup>th</sup> Avenue West terminates at the applicant's property.
5. The streets will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth since the streets are currently unimproved.
6. The City has determined that this portion of the street is not needed for utility or pedestrian use. Vacating the easement will not impact or deny access to other property owners.
7. No other public or City comments have been received at the time of drafting this report.
8. Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

**Staff Recommendation:**

Based on the above findings, Staff recommends that Planning Commission recommend approval of the vacation with the following conditions:

1. The vacation and easements must be recorded within 90 days of final approval by City Council or such approval will lapse.
2. The vacation must be approved with a 6/9 vote from City Council.



PLVAC-2502-0002

Vacation of Street/Easement  
625 125th Ave W

## Legend

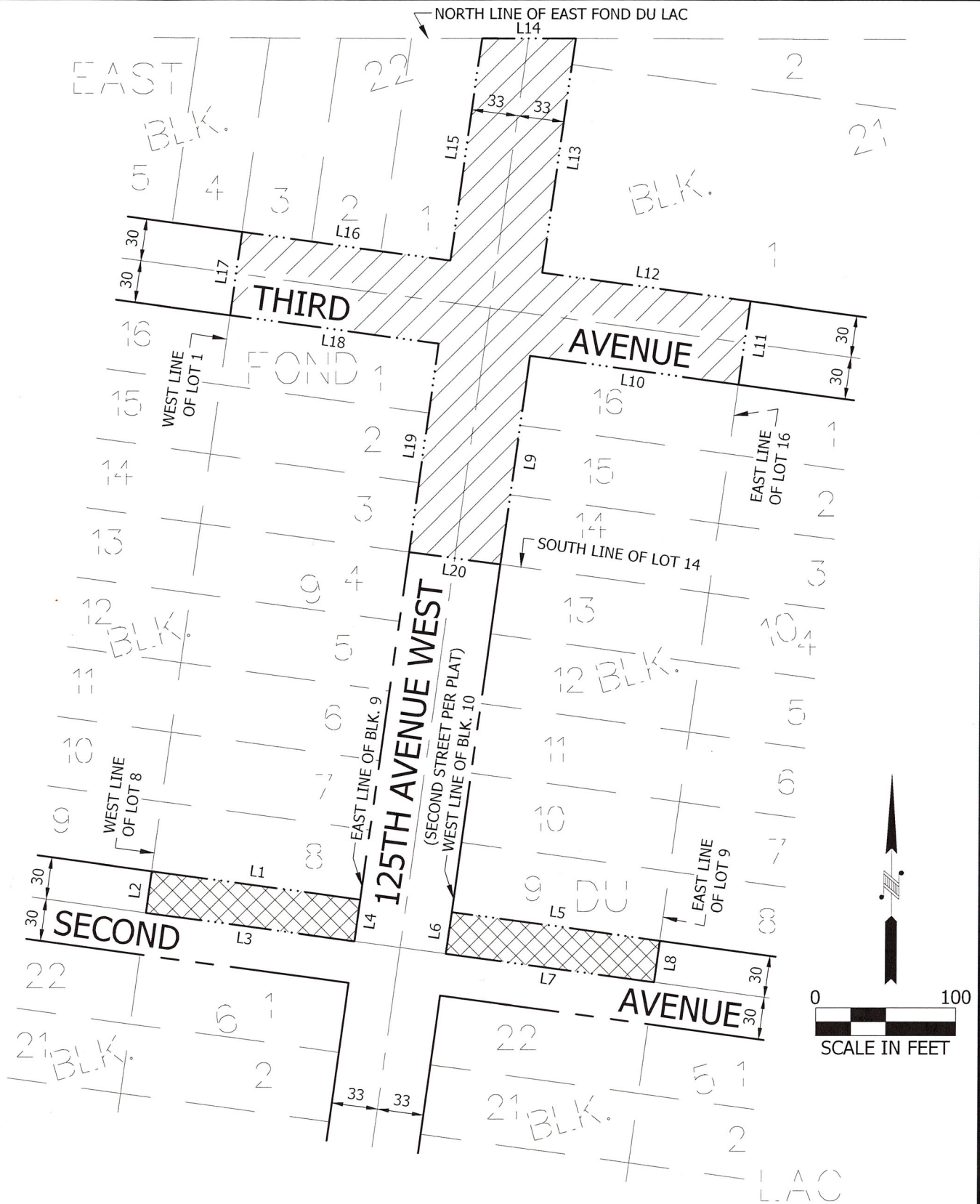
- Zoning Boundaries
- County Parcel Data
- Road or Alley ROW
- 10' Contour (elev. change)

## ROW

- Road, Active - currently in use
- Road, Inactive - Dedicated, but not built

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.





## RIGHT OF WAY VACATION EXHIBIT

CLIENT: REED & MISTICA BLAZEVIC

REVISIONS:

ADDRESS: 625 125TH AVE W  
DULUTH, MN 55808

DATE: 02-24-2025

JOB NO: 25-029

SHEET 2 OF 2

**ALTA**  
LAND SURVEY COMPANY

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

#### LEGAL DESCRIPTION OF PORTION OF THIRD AVENUE RIGHT OF WAY TO BE VACATED

That part of Third Avenue lying adjacent to and abutting to Lot 1, Block 9, Lot 16, Block 10, Lot 1, Block 21 and Lots 1, 2 and 3, Block 22, EAST FOND DU LAC, according to the recorded plat thereof, St. Louis County, Minnesota, which lies East of the West line of said Lot 1, Block 9 and its Northerly extension across said Third Avenue and lying West of the East line of said Lot 16, Block 10 and its Northerly extension across said Third Avenue.  
Said right of way vacation contains 21,960 Sq. Feet or 0.50 Acres.

#### LEGAL DESCRIPTION OF PORTION OF 125TH AVENUE WEST (SECOND STREET PER PLAT) RIGHT OF WAY TO BE VACATED

That part of Second Street, also known as 125th Avenue West lying adjacent to and abutting to Lots 1, 2 and 3, Block 9, Lots 14, 15 and 16, Block 10, Lots 1 and 2, Block 21 and Lot 1, Block 22, EAST FOND DU LAC, according to the recorded plat thereof, St. Louis County, Minnesota, which lies South of the North line of the said EAST FOND DU LAC and lying North of the South line of said Lot 14, Block 10 and its Westerly extension across said Second Street.  
Said right of way vacation contains 24,724 Sq. Feet or 0.57 Acres.

#### LEGAL DESCRIPTION OF PORTION OF SECOND AVENUE RIGHT OF WAY TO BE VACATED WITH RETAINED UTILITY EASEMENT

The North Half of Second Avenue lying adjacent to and abutting to Lot 8, Block 9, EAST FOND DU LAC, according to the recorded plat thereof, St. Louis County, Minnesota, which lies East of the West line of said Lot 8, Block 9 and its Southerly extension and lying West of the East line of said Block 9 and its Southerly extension. Said right of way vacation with retained utility easement contains 4,500 Sq. Ft or 0.10 Acres.

#### LEGAL DESCRIPTION OF PORTION OF SECOND AVENUE RIGHT OF WAY TO BE VACATED WITH RETAINED UTILITY EASEMENT

The North Half of Second Avenue lying adjacent to and abutting to Lot 9, Block 10, EAST FOND DU LAC, according to the recorded plat thereof, St. Louis County, Minnesota, which lies East of the West line of said Block 10 and its Southerly extension and lying West of the East line of said Lot 9, Block 10 and its Southerly extension. Said right of way vacation with retained utility easement contains 4,500 Sq. Ft or 0.10 Acres.

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N82°16'12"W | 150.00   |
| L2   | S07°43'48"W | 30.00    |
| L3   | S82°16'12"E | 150.00   |
| L4   | N07°43'48"E | 30.00    |
| L5   | N82°16'12"W | 150.00   |
| L6   | S07°43'48"W | 30.00    |
| L7   | S82°16'12"E | 150.00   |
| L8   | N07°43'48"E | 30.00    |
| L9   | N07°43'48"E | 150.00   |
| L10  | S82°16'12"E | 150.00   |
| L11  | N07°43'48"E | 60.00    |
| L12  | N82°16'12"W | 150.00   |
| L13  | N07°43'48"E | 169.01   |
| L14  | N89°52'26"W | 66.59    |
| L15  | S07°43'48"W | 160.20   |
| L16  | N82°16'12"W | 150.00   |
| L17  | S07°43'48"W | 60.00    |
| L18  | S82°16'12"E | 150.00   |
| L19  | S07°43'48"W | 150.00   |
| L20  | S82°16'12"E | 66.00    |

#### LEGEND



RIGHT OF WAY VACATION WITH  
RETAINED UTILITY EASEMENT AREA

RIGHT OF WAY  
VACATION AREA

— — — — — CENTER LINE  
— — — — — RIGHT OF WAY LINE  
— · · · — · · · RIGHT OF WAY VACATION LINE  
— — — — — EXISTING PLAT LINE

Approved by the City Engineer of the City of  
Duluth, MN this 21st day of April 2025

By

#### SURVEYOR'S NOTES

1. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
2. THIS IS NOT A BOUNDARY SURVEY.

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  
MN License #49505

DATE:02-24-2025

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