



**Council Agenda Item 25-0441R**

**MEETING DATE:** May 27, 2025

**SUBJECT/TITLE:** 25-0441R, A RESOLUTION TO APPROVE VACATION OF A SLOPES AND FILL EASEMENT West Third Street Alley affecting Lots 44, 46, and 48, Duluth Proper First Division West Third Street Plat.

**SUBMITTED BY:** Owner's Agents: William M. Burns & Terri E. Crossmon, Hanft Fride Law Firm.

**RECOMMENDATION:** Approve.

**BOARD/COMMISSION/COMMITTEE RECOMMENDATION:** Planning Commission

**BACKGROUND:** The slopes and fill easement was platted as a part of Duluth Proper First Division West Third Street. Slopes and fill easements were common when properties were first being developed, especially in the Hillside neighborhood. The applicant is requesting to vacate an entire platted slopes and fill easement along the platted and developed W. 3<sup>rd</sup> St Alley as described in the attached exhibit. The City Engineering office has reviewed the proposed vacation and has indicated it does not expect to need the area for future utilities or drainage. The easement is no longer needed for the W 3rd St Alley, and the City has determined it will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth. Vacating the easement will not impact or deny access to other property owners.

**OPTIONS:** Approve the proposed vacation, approve it with modifications, or deny it.

**ATTACHMENTS:** Staff Report (Includes Vacation Exhibit)