



Legislation Details (With Text)

File #: 20-0208R **Name:**
Type: Resolution **Status:** Passed
File created: 2/26/2020 **In control:** Planning and Economic Development
On agenda: 3/9/2020 **Final action:** 3/9/2020
Title: RESOLUTION VACATING STREET AND UTILITY EASEMENTS WITHIN BLOCKS 1, 2, AND 3 OF THE HARTLEY HILLS FOURTH ADDITION PLAT.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1, 2. Attachment 2

Date	Ver.	Action By	Action	Result
3/9/2020	1	City Council	adopted	

RESOLUTION VACATING STREET AND UTILITY EASEMENTS WITHIN BLOCKS 1, 2, AND 3 OF THE HARTLEY HILLS FOURTH ADDITION PLAT.

CITY PROPOSAL:

RESOLVED, that:

- (a) The city council finds a sufficient petition was filed with the city requesting the vacation described in (d) below; and
- (b) Pursuant to Section 100 of the City Charter and Section 50-37.6 of Chapter 50 of the Duluth City Code, as amended, such petition was duly referred to the city planning commission and such commission gave due notice of public hearing and did consider same in a public hearing and the city planning commission found that this portion of the street easement is not needed for public street purposes; and
- (c) The city planning commission, at the Tuesday, February 11, 2020 regular meeting, recommended approval of the vacation petition; and
- (d) The city council finds that the portion of the street proposed to be vacated:
 - 1. is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles or pedestrians or otherwise for the efficient supply of utilities or public services in the City; and
 - 2. is not otherwise needed to promote the public health, safety or welfare of the citizens of Duluth.
- (e) The city council of the city of Duluth approves the vacation of the platted easements as described below:

UTILITY EASEMENT TO BE VACATED:

All that part of the platted utility easements lying within the following described property:

Blocks 1, 2 AND 3, HARTLEY HILLS FOURTH ADDITION, according to the recorded plat thereof, St. Louis County, Minnesota. Said proposed utility easement area to be vacated containing 33,693 square feet or 0.77 acres.

RIGHT OF WAY TO BE VACATED:

All of Hastings St. as dedicated on the plat of HARTLEY HILLS FOURTH ADDITION, according to the recorded plat thereof, St. Louis County, Minnesota.

AND

That part of Tracy Street contained within Blocks 1,2 AND 3 as dedicated on the plat of HARTLEY HILLS FOURTH ADDITION, according to the recorded plat thereof, St. Louis County, Minnesota, bounded on the West by the west line of said HARTLEY HILLS FOURTH ADDITION and bounded on the east by the southerly extension of the east line of Lot 8, Block 1 in said plat.

AND

That part of Richfield Street lying adjacent to Block 3 as dedicated on the plat of HARTLEY HILLS FOURTH ADDITION, according to the recorded plat thereof, St. Louis County, Minnesota, bounded on the West by the west line of said HARTLEY HILLS FOURTH ADDITION and bounded on the east by the southerly extension of the east line of Block 3 in said plat. Said proposed right of way area to be vacated containing 102,959 square feet or 2.36 acres.

(f) That the city clerk is, pursuant to Section 100 (b)(7) of the Home Rule Charter of the city of Duluth, 1912, as amended, authorized to record, with the register of deeds and/or the registrar of titles of Saint Louis County, Minnesota, a certified copy of this resolution showing the platted easement to be vacated.

STATEMENT OF PURPOSE: This resolution vacates existing street and utility easements within Block 1, 2 and 3 of the Hartley Hills Fourth Addition Plat.

The street and utility easements are not needed for the safe and efficient circulation of automobiles, trucks, bicycles or pedestrians or otherwise for the efficient supply of utilities or public services in the City.

The vacation of these easements is for a replat of approximately 11.96 acres into 18 lots and 1 Outlot within the Hartley Hills Fourth Addition. The First Rearrangement of Hartley Hills Fourth Addition plat will have new street and utility easements dedicated for the safe and efficient circulation of automobiles, trucks, bicycles or pedestrians or otherwise for the efficient supply of utilities or public services in the City.

This item was original heard on February 11, 2020, the Duluth city planning commission held a public hearing on the proposal and voted 7 yeas, 0 nay, and 0 abstentions to recommend the city council approve the vacation.

The motion to approve the vacation by the city council must prevail with at least six affirmative votes.

Petition Received: January 21, 2020

Action Deadline: May 28, 2020

Petitioner: Sanford Hoff

PL 20-006