

be vacated with the easements to be retained.

STATEMENT OF PURPOSE:

This resolution vacates portions of the platted right-of-way of Sellwood Avenue, a/k/a 84th Avenue West, Commonwealth Avenue, a/k/a 85th Avenue West, Bessemer Street and three alleys, all within the plats of Ironton First Division and Ironton Second Division, subject to the retention of various easements for the following purposes: public recreational, walkway and trail; utility; and utility, storm, and drainage.

The need for the vacation of the rights-of-way is due to trespass in the Bessemer neighborhood during the winter months with Spirit Mountain patrons parking on Bessemer Street and entering through the vacated rights-of-way to access the mountain ski area. Additionally, there is concern that the access points will impact the newly established Nordic Center ski trails. The Nordic Center receives daily grooming and any footprints over the ski deck would compromise the high quality ski experience the Nordic Center provides. The rights-of-way proposed to be vacated will not be needed by the City for the safe and efficient circulation of automobiles or trucks.

On August 13, 2019, the Duluth city planning commission held a public hearing on the proposal as shown in the staff report attached as Exhibit C and voted 7 yeas, 0 nays, and 0 abstentions to recommend the city council approve the vacation with the conditions stated in the resolution.

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

PL 19-070