



## Legislation Text

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**File #:** 21-0328R, **Version:** 1

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RESOLUTION VACATING THE 16 FOOT WIDE ALLEY LYING WITHIN BLOCK 2 OF THE DULUTH HEIGHTS SIXTH DIVISION.

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 alley is not needed for public alley purposes; and

(c) The city planning commission, at the Tuesday, April 13, 2021 regular meeting, recommended approval of the vacation petition; and

(d) The city council finds that the portion of the platted alley proposed to be vacated:

1. is not and will not be needed 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 portion of alley as described below:

All that part of the 16 foot wide Alley lying within Block 2, DULUTH HEIGHTS SIXTH DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

Said parcel contains 8,101 square feet or 0.19 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 a portion of a platted alley between platted Oak Street and N. Basswood Ave (Highland Ave. per plat).

The purpose of this application is to vacate the 16 foot wide alley to allow for the construction of a single family home and to allow the new utilities of said home to cross the unimproved alley to connect to the utilities in N. Basswood Avenue. The portion of the platted alley to be vacated is not needed for the efficient supply of

utilities or public services in the City.

This item was original heard on April 13, 2021, the Duluth city planning commission held a public hearing on the proposal and voted 8 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: March 5, 2021

Action Deadline: July 3, 2021

Petitioner: Alvin Berg  
PL 20-019