



Legislation Text

File #: 18-0163R, **Version:** 1

RESOLUTION VACATING NINA STREET SOUTH OF QUINCE STREET, RETAINING A PEDESTRIAN AND UTILITY EASEMENT OVER THE CENTER 30 FEET.

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 vehicular purposes, but is needed for pedestrian and utility purposes; and

(c) The city planning commission, at its Tuesday, February 13, 2018 regular meeting, recommended approval of the street vacation while retaining a 30-foot-wide pedestrian and utility easement in the center of the platted street; and

(d) The city council of the city of Duluth approves the vacation of the platted street and retention of a pedestrian and utility easement described below and shown in Attachment 1:

STREET TO BE VACATED:

All that part of Nina Street lying South of the South line of Quince Street and adjacent to and between Blocks 3 and 4, SUNNYSIDE GARDENS OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

PEDESTRIAN AND UTILITY EASEMENT TO BE RETAINED:

All that part of Nina Street lying South of the South line of Quince Street and adjacent to and between Blocks 3 and 4, SUNNYSIDE GARDENS OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota that lies within 15.00 feet of both sides of the platted center line of said Nina Street.

(e) 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 the portion of Nina Street south of Quince Street while retaining the center 30 feet as a pedestrian and utility easement.

On February 13, 2018, the Duluth city planning commission held a public hearing on the proposal as shown in Attachment 2 and voted 9 yeas, 0 nays, 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.

Petitioner:

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Northwood Children's Services, Inc.
c/o John Ek
714 W. College St.
Duluth, MN 55811

PL 18-003