



Legislation Text

File #: 18-0393R, **Version:** 1

RESOLUTION VACATING A PORTION OF SUPERIOR STREET IN WEST DULUTH SEVENTH DIVISION.

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city requesting the vacations 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 street is needed for utility purposes but will be rededicated in a new plat for the area; and

(c) The city planning commission, at its Tuesday, April 10, 2018 regular meeting, recommended approval of the vacation with one condition; and

(d) The city council of the city of Duluth approves the vacation described below and shown in Attachment 1:

AREA TO BE VACATED:

Beginning at the most easterly corner of Lot 10, Block 176, West Duluth Seventh Division according to the plat on file and of record in the Office of the County Recorder, St. Louis County, Minnesota; thence south 43 degrees 47 minutes 36 seconds west assumed bearing along the southeasterly line of said Block 176 a distance of 59.92 feet to the most easterly corner of Lot 8, Block 176, of said West Duluth 7th Division; thence south 46 degrees 11 minutes 30 seconds east a distance of 80.00 feet to the southeasterly right of way line of Prescott St.; thence north 43 degrees 47 minutes 36 seconds east along said southeasterly right of way line of Prescott St. a distance of 5.40 feet; thence north 11 degrees 18 minutes 46 seconds west a distance of 48.77 feet; thence north 43 degrees 47 minutes 36 seconds west a distance of 66.64 feet; thence north 46 degrees 12 minutes 24 seconds west a distance of 40.00 feet; thence south 43 degrees 47 minutes 36 seconds west a distance of 40.00 to the point of beginning and there terminating.

(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, with the condition that a new plat dedicating this area for street purposes be approved and recorded.

STATEMENT OF PURPOSE: This resolution vacates a portion of Superior Street in West Duluth Seventh Division, located on the West Duluth Menards site. Menards intends to make minor modifications to the existing storage facility behind the building and would like to clean up existing property lines prior to these improvements. This area contains underground utilities so will be rededicated in the new Menards plat. On April 10, 2018, the Duluth city planning commission held a public hearing on the proposal as shown in Attachment 2 and voted 7 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.

PL 17-053