



Legislation Text

File #: 21-0769R, **Version:** 1

RESOLUTION VACATING PORTION OF THE ALLEY THAT LIES SOUTH OF LOT 11 AND NORTH OF LOTS 12 THROUGH 16 IN BLOCK 186, WEST DULUTH SEVENTH DIVISION.

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city requesting the vacation described in paragraph (e) 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 (file number PL 21-148) and such commission gave due notice of public hearing and did consider same in a public hearing and the city planning commission found that the portion of the platted alley described in attachment 1 is useless for vehicular, utility, and drainage purposes; and

(c) The city planning commission, at its Tuesday, September 14, 2021 regular meeting, recommended approval of the vacation petition; and

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

1. is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or 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 a portion of the platted alley legally described and depicted in Attachment 1; and

(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: (i) a certified copy of this resolution showing the platted alley to be vacated; and

(g) That the vacation shall lapse if this resolution is not recorded within 90 days of city council approval.

STATEMENT OF PURPOSE: This resolution vacates an unused platted alley (see Attachment 1) to prepare the site for future use.

The planning commission found that the alley is not needed for vehicular, utility or drainage purposes. The commission also found that it is not otherwise needed to promote the public health, safety or welfare of the citizens of Duluth.

On September 14, 2021, the Duluth city planning commission held a public hearing on the proposal as shown in the staff report in Attachment 2 and voted 8 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.

Petition Received: August 12, 2021

Action Deadline: December 10, 2021

Petitioner: City of Duluth

PL 21-148