



## Legislation Details (With Text)

**File #:** 16-0641R **Name:**

**Type:** Resolution **Status:** Passed

**File created:** 8/19/2016 **In control:** Planning and Economic Development

**On agenda:** 8/29/2016 **Final action:** 8/29/2016

**Enactment date:** **Enactment #:**

**Title:** RESOLUTION VACATING ALL THAT PART OF THE 20 FOOT WIDE PLATTED ALLEY LYING WITHIN BLOCK 2, PIEDMONT PARK ADDITION TO DULUTH (RENEE BORSON).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, 2. Attachment 2

Date	Ver.	Action By	Action	Result
8/29/2016	1	City Council	adopted	
8/29/2016	1	Mayor	approved	

RESOLUTION VACATING ALL THAT PART OF THE 20 FOOT WIDE PLATTED ALLEY LYING WITHIN BLOCK 2, PIEDMONT PARK ADDITION TO DULUTH (RENEE BORSON).

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 public street purposes; and

(c) The city planning commission, at its Tuesday, August 9, 2016 regular meeting, recommended approval of the vacation petition; and

(d) The city council of the city of Duluth approves the vacation of the platted alley, described below:

All that part of the 20.00 foot wide platted alley lying within Block 2, PIEDMONT PARK ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

(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 an undeveloped alley in Piedmont, extending westward from N 28<sup>th</sup> Avenue W; applicant resides at 1505 N 28<sup>th</sup> Avenue W. Properties in the area do not need the alley for access, and given the steep topography in the area, it is unlikely any alley would be built in the future; the alley is not wide enough to incorporate retaining walls for the slopes. No utilities or pedestrian amenities are located within this alley, and there are no plans for such accommodations in the future.

On August 9, 2016, the Duluth city planning commission held a public hearing on the proposal and voted 5 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: July 28, 2016

Action Deadline: November 25, 2016

Petitioner:

Renee Borson

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