



Legislation Details (With Text)

File #: 16-0644R **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
Title: RESOLUTION VACATING A 20 FOOT WIDE ALLEY BETWEEN BLOCKS 3 AND BLOCK 4 OF THE RECORDED PLAT OF "LAKESIDE GARDENS."

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1, 2. Attachment 2, 3. Attachment 3

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

RESOLUTION VACATING A 20 FOOT WIDE ALLEY BETWEEN BLOCKS 3 AND BLOCK 4 OF THE RECORDED PLAT OF "LAKESIDE GARDENS."

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 useless for all 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 easement described below:

VACATION LEGAL DESCRIPTION:

The 20.00 foot wide alley between Blocks 3 and Block 4, of the recorded plat of "LAKESIDE GARDENS" on file and of record in the office of the St Louis County Recorder, St Louis County, Minnesota. The said alley will terminate on the north end at the edge of said recorded plat of

“LAKESIDE GARDENS” and on the south end at the north edge of Norwood 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 easement to be vacated and new easement to be dedicated.

STATEMENT OF PURPOSE: This resolution vacates an easement over city property located adjacent to 4501 Norwood Street. The applicant plans to dedicate the adjacent parcel for a pedestrian easement.

On August 9, 2016, the Duluth city planning commission held a public hearing on the proposal and voted 8-0 to recommend that city council approve the vacation.

In related actions, the city is simultaneously presenting resolutions to dedicate pedestrian easements in the area.

The motion to approve the vacation by the city council must prevail with at least six affirmative votes.

Petition Received: N/A

Action Deadline: N/A

Petitioner:

City of Duluth

c/o Chris Lee

411 W 1st Street Room 332

Duluth, MN 55802

PL 16-054