



## Legislation Text

**File #:** 19-0226R, **Version:** 1

RESOLUTION VACATING A 250 FOOT SECTION OF THE PLATTED RIGHT OF WAY OF JEFFERSON AVENUE BETWEEN FOURTH STREET AND ELINOR STREET, AND A 300 FOOT SECTION OF THE PLATTED ALLEY RUNNING BETWEEN MADISON AVENUE AND JEFFERSON AVENUE.

### 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 a Tuesday, March 26, 2019 special meeting, recommended approval of the vacation petition; and
- (d) The city council finds that the street proposed to be vacated:
  - 1. is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles or pedestrians or otherwise for 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 the platted easement as described below:

### RIGHT OF WAY TO BE VACATED:

ALL THOSE PARTS OF JEFFERSON AVENUE AND 11TH STREET, CENTRAL DIVISION OF WEST DULUTH, CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA; LYING NORTHERLY OF THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID 11TH STREET OF SAID CENTRAL DIVISION OF WEST DULUTH

AND

ALL THAT PART OF JEFFERSON AVENUE, DODGE'S ADDITION TO DULUTH, CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA; LYING NORTHERLY OF THE NORTH LINE OF 4TH STREET OF SAID DODGE'S ADDITION TO DULUTH

AND

THAT PART OF JEFFERSON AVENUE, KIMBERLY & STRYKER'S ADDITION TO DULUTH, CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA; LYING SOUTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF 5TH STREET OF SAID KIMBERLY & STRYKER'S ADDITION TO DULUTH TOGETHER WITH THE 5TH STREET ALLEY APPURTENANT TO BLOCK 56, SAID KIMBERLY & STRYKER'S ADDITION TO DULUTH.

AND

THAT PART OF JEFFERSON AVENUE, WEST DULUTH SIXTH DIVISION, CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA; LYING SOUTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF ELINOR STREET OF SAID WEST DULUTH SIXTH DIVISION.

(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, a certified copy of this resolution showing the platted easement to be vacated.

STATEMENT OF PURPOSE: This resolution vacates a part of the platted Right Of Way of Jefferson Avenue, between Elinor Street and Petre Street. The street easement is not needed for the safe and efficient circulation of automobiles, trucks, bicycles or pedestrians.

This item was original heard on March 12<sup>th</sup>, 2019 and tabled until March 26, 2019, the Duluth city planning commission held a public hearing on the proposal and voted 9 yeas, 0 nay, 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: February 4, 2019

Action Deadline: June 4, 2019

Petitioner: City of Duluth

PL 19-009