



## Legislation Text

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**File #:** 22-0421R, **Version:** 1

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### RESOLUTION VACATING A 16 FOOT WIDE ALLEY BETWEEN BLOCK 11 AND BLOCK 6 OF THE RECORDED PLAT OF DODGES ADDITION TO DULUTH.

#### CITY PROPOSAL:

- (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 alley easement is not needed for public street purposes; and
- (c) The city planning commission, at the Tuesday, May 10, 2022 regular meeting, recommended approval of the vacation petition; and
- (d) The city council finds that the portion of the alley 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 alley as described below:

#### ALLEY TO BE VACATED:

All that part of the platted alley lying within the following described property:

The 16.00 foot wide alley lying between Block 11 and Block 6 of the recorded plat of "DODGE'S ADDITION TO DULUTH" on file and of record in the office of the St. Louis County Recorder, St. Louis County, Minnesota

AND

That part of Tracy Street contained within Blocks 1,2 AND 3 as dedicated on the plat of HARTLEY HILLS FOURTH ADDITION, according to the recorded plat thereof, St. Louis County, Minnesota, bounded on the West by the west line of said HARTLEY HILLS FOURTH ADDITION

- (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 the platted alley between Block 11 and Block 6 of Dodge's Addition to Duluth.

The alley is not 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.

This item was original heard on May 10, 2022, the Duluth city planning commission held a public hearing on the proposal and voted 5 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: March 29, 2022

Action Deadline: August 27, 2022

Petitioner: Timothy Carter and Karen Carter - Attia

PL 22-048