

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

08-0646R

RESOLUTION VACATING VARIOUS STREETS, AVENUES AND ALLEYWAYS WITHIN THE HARBOR HIGHLANDS TRADITIONAL NEIGHBORHOOD DISTRICT (DULUTH HOUSING AND REDEVELOPMENT AUTHORITY).

CITY PROPOSAL:

RESOLVED, that the Duluth City Council finds that:

(a) A sufficient petition was filed with the city clerk requesting the vacation of streets, avenues and alleys within the Harbor Highlands Traditional Neighborhood District (TND) (FN 08091); and

(b) Pursuant to Section 100 of the City Charter and Article IV of Chapter 45 of the Duluth City Code, 1959, 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 public hearing; and the city planning commission found that the petitioned streets, avenues and alleys as useless, based on the findings that these streets, avenues and alleys will be replaced by street and utility easements as shown on Public Document No. _____ on file in the office of the city clerk which implements the Harbor Highlands TND; and

(c) The planning commission, at its October 14, 2008, regular meeting, did approve, unanimously, vacating the utility easement petitioned for vacation; and

(d) The city council concurs with the planning commission's finding contained in finding (b) above.

RESOLVED FURTHER, that the city council of the city of Duluth approves the vacation of the street and utility easements as shown on Public Document No. _____ on file in the office of the city clerk.

RESOLVED FURTHER, the said vacations shall be effective only after the dedication by the owner of the affected property of those streets and utility easements shown on the afore referenced Public Document No. _____.

RESOLVED FURTHER, that the city clerk is hereby directed to record, with the register of deeds and/or the registrar of titles of Saint Louis County,

Minnesota, a certified copy of this resolution together with a plat showing the portion of the street to be vacated.

Approved as to form:

Attorney

PC/PLNG CF:tmf 10/17/2008

STATEMENT OF PURPOSE: This resolution vacates streets, avenues and alleys within the Harbor Highlands Traditional Neighborhood District (TND). These vacations will implement the approved Harbor Highland TND. A companion resolution dedicates various thoroughfares within the Harbor Highlands TND which will also implement the approved TND. Following the public hearing on October 14, 2008, the planning commission voted unanimously (11-0-0) to recommend these vacations.

Action deadline: There is no action deadline for this resolution.