

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

08-0651R

RESOLUTION VACATING THE EASEMENT ON HURON STREET BETWEEN
29TH AVENUE WEST AND 31ST AVENUE WEST (CLYDE INDUSTRIAL
PARK).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of a utility easement located in vacated Huron Street in that part of Huron Street, lying westerly of the westerly line of 29th Avenue West, and easterly of the easterly line of 31st Avenue West (FN 08101); 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 avenue is useless, based on the finding that the storm sewer has been rerouted to the alley east of Huron Street; and

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

(d) The city council of the city of Duluth approves the vacation of the following, and as more particularly described on Public Document No. _____: a utility easement located in vacated Huron Street, lying westerly of the westerly line of 29th Avenue West, and easterly of the easterly line of 31st Avenue West; and

(e) 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 easement to be vacated.

Approved as to form:

Attorney

PC/PLNG CP:tmf 10/17/2008

STATEMENT OF PURPOSE: This resolution vacates the Huron Street utility easement in that part of Huron Street, lying westerly of the westerly line of 29th Avenue West, and easterly of the easterly line of 31st Avenue West, as the easement no longer serves a public use and will not be needed for a public purpose in the future. The reason for the vacation is due to the footprint of the Duluth Heritage Sports Center, Heritage Hall and Arena, being located on the easement and; therefore, the easement cannot be used for conduits, wires, sewer, water and gas, and other public necessities. Following the public hearing on October 14, 2008, the city planning commission voted unanimously to recommend the easement vacation.

Petition received: September 2, 2008

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