

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0154R

RESOLUTION VACATING A PORTION OF THE SKYWALK LOCATED IN THE LAKE SUPERIOR PLACE BUILDING AT 21 WEST SUPERIOR STREET (MINNESOTA POWER).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of the Skywalk easement in the Lake Superior Place Building located at 21 West Superior Street, legally described as:

Lots 9 and 11, Duluth Proper First Division; 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 (FN 07108); and, the city planning commission at its February 18, 2009, regular meeting, found that the proposed vacated area is no longer needed for Skywalk purposes as an alternative route has been secured; and

(c) That the city council of the city of Duluth approves the vacation of a portion of the Skywalk located in the Lake Superior Place Building, and as more particularly described on Public Document No. _____;

(d) 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 map showing the portion of the Skywalk to be vacated.

Approved as to form:

Attorney

PC CF/cm 2/23/2009

STATEMENT OF PURPOSE: The original concept for extension of the Skywalk system across Lake Avenue assumed that the crossing would occur along the Superior Street frontage and thus the contingent easement across the front of the Lake Superior Place property was intended to accommodate this. However, the plan was changed to involve a connection on the south side of First Alley and thus, this contingent easement no longer serves any public purpose.

On February 18, 2009, the planning commission held a public hearing on the proposal, and voted 7-0-0 to recommend that the city council approve the vacation of a portion of the skywalk as requested.

Petition received: August 8, 2007

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