

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0356R

RESOLUTION APPROVING THE VACATION OF PART OF ELINOR STREET AND AN ALLEY FOR INDEPENDENT SCHOOL DISTRICT 709.

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of part of Elinor Street from the west line of 54th Avenue West to the east line of Central Avenue Alley extended and vacation of the Central Avenue Alley in Block 105 from the south line of Cental Place to the north line of Elinor Street, all located in the West Duluth Sixth Division Plat of Duluth; 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 on May 12, 2009, and the city planning commission found that proposed improvement to the school campus will render this alley and Elinor Street useless for some or all of the purposes for which it was dedicated and accommodations can be made using pedestrian and utility easements; and

(c) The planning commission, at its May 12, 2009, regular meeting did approve vacating Elinor Street and the alley as the proposed improvement to the school campus will render this section of Elinor Street and the alley useless for some or all of the purposes for which it was dedicated and accommodations can be made using pedestrian and utility easements.

RESOLVED FURTHER, that:

(a) The city council of the city of Duluth approves the vacation of that part of Elinor Street from the west line of 54th Avenue West to the east line of the Central Avenue Alley extended, retaining the vacated portion for utility and pedestrian purposes and vacation of the Central Avenue Alley from the south line of Cental Place to the north line of Elinor Street, all located in the West

Duluth Sixth Division and as more particularly described on Public Document No. \_\_\_\_\_; and

(b) 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.

Approved as to form:

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Attorney

PC CF:tmf 5/15/2009

STATEMENT OF PURPOSE: Vacation of the alley allows for a new school to be constructed. The vacation of part of Elinor Street allows for safe access for student and facility to Memorial Park with an easement for utilities and pedestrian access.

On May 12, 2009, the planning commission held a public hearing on the proposal, and voted 13 yeas, 0 nays, and 0 abstentions to recommend that the city council approve the vacations as requested.

Petition received: March 26, 2009.

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