

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0478R

RESOLUTION APPROVING THE VACATION OF AN ALLEY ADJACENT
TO 110TH AVENUE WEST (HAROLD AND JANE GLOWACKI).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of the alley located in Block 81 between Lots 1 and 27-30, Gary Central Division to 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, and the city planning commission found that the petitioned alley is useless for some or all of the uses for which it was dedicated as the alley has not been improved for vehicle purposes, there are no plans to improve this alley and the vacated alley is being retained as an easement for utilities; and

(c) The planning commission, at its July 14, 2009, regular meeting did approve vacating the alley petitioned for vacation as the alley is useless for the purpose for which it was dedicated, the alley has not been developed and will not likely be developed, and the vacated alley is being retained as an easement for utilities.

RESOLVED FURTHER, that:

(a) The city council of the city of Duluth approves the vacation of the alley located in Block 81 between Lots 1 and 27-30, Gary Central Division to Duluth, retaining the vacated alley as an easement for utilities and as more particularly described on Public Document No. _____;

(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:

Attorney

PC JJ:tmf 7/17/2009

STATEMENT OF PURPOSE: This resolution allows the property owner to install a water service line from their home to the existing city watermain lying within 110th Avenue West.

On July 14, 2009, the planning commission held a public hearing on the proposal and voted 11 yeas, 0 nays and 0 abstentions to recommend that the city council approve the vacation as requested.

Petition received: May 15, 2009

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