

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0589R

RESOLUTION VACATING LESTER STREET ALLEY BETWEEN 51ST AND
52ND AVENUES EAST(SARAH SEIDELMANN).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of the alley between Blocks 151 and 158, Crosley Park Division from the east line of 51st Avenue East to the west line of 52nd Avenue East; 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, based on the finding that there are no public improvements within the alley and that there will be no need for the alley in the future; and

(c) The city planning commission, at its September 8, 2009, regular meeting, did approve, unanimously, vacating the alley; 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. _____:

The alley between Blocks 151 and 158, Crosley Park Division from the east line of 51st Avenue East to the west line of 52nd Avenue East; 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

PLNG/PC KD:jab 9/11/2009

STATEMENT OF PURPOSE: This resolution vacates the alley north of Woodlawn Street (Lester Street Alley) between 51st and 52nd avenues East. The alley has no public improvements and will not be needed for a public purpose in the future. The motion to approve the vacation of this alley must prevail with at least six affirmative votes according to Section 45-44.

On September 8, 2009, the Duluth city planning commission held a public hearing on the proposal and voted 11-0 to recommend that the city council grant the alley vacation. The petitioner states the purpose of the vacation is "to provide increased enjoyment of our backyards by increasing the usable space."

Petition received: March 29, 2009

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