

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-0283R

RESOLUTION VACATING PART OF CLOVER STREET OFF OF WOODLAND AVENUE AND THE ASSOCIATED ALLEYS (REGENTS OF THE UNIVERSITY OF MINNESOTA).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of the westerly 80 feet of Clover Street and associated alleys, Clover Hill 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 (FN 10037), and such commission gave due notice of public hearing and did consider same in public hearing and, the city planning commission found that the properties on either side of this section of the Clover Street and alley easements and the property to which it currently leads is owned and maintained by the University of Minnesota and, the petitioned street and alleys are useless for vehicular and pedestrian purposes; and

(c) The city planning commission, at its May 11, 2010, regular meeting, recommended approval of the vacation petition; and

(d) The city council of the city of Duluth approves the vacation of the following vacation area, more particularly described on Public Document No. _____:

The westerly 80 feet of Clover Street and associated alleys, Clover Hill Division; and

(e) That the city clerk is, pursuant to Section 100 (b)(7) of the Home Rule Charter of the city of Duluth, 1912, as amended, authorized to record, with the register of deeds and/or the registrar of titles of Saint Louis County,

Minnesota, a certified copy of this resolution and Public Document No. _____ showing the portion of the street and alleys to be vacated.

Approved as to form:

Attorney

PC/PLNG :JJ:eu 5/17/2010

STATEMENT OF PURPOSE: This resolution vacates that part of the westerly 80 feet of Clover Street off of Woodland and it's associated alleys, adjoining property owned by the University of Minnesota. The petitioner states the vacation "is necessary to allow the University of Minnesota to exercise substantial property rights and that the alley breaks up the parcels owned by the petitioner and limits the utilization of the property."

This University of Minnesota owns the properties on both sides of the street and alleys are which dead end into the UMD campus and are not used by the general public for vehicular or pedestrian use.

The motion to approve the vacation of this alley must prevail with at least six affirmative votes according to Section 45-44.

On May 11, 2010, the Duluth city planning commission held a public hearing on the proposal and voted 6-4 to recommend that the city council APPROVE the street and alley vacation.

Petition Received: April 06, 2010

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