

PUBLIC WORKS & UTILITIES COMMITTEE

11-0051R

RESOLUTION OF INTENT TO REPAIR A SIDEWALK VAULT LOCATED
AT 114 WEST FOURTH STREET AND TO ASSESS A PORTION OF THE
COSTS THEREOF.

CITY PROPOSAL:

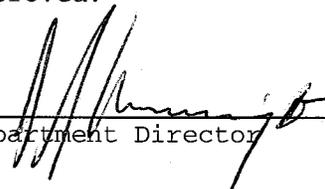
WHEREAS in accordance with the provisions of Section 45-82.6 of the Duluth City Code, 1959, as amended, the city engineer has determined that a sidewalk vault located on the lower side of West Fourth Street on Lot 24, West Fourth Street Duluth Proper First Division, poses a danger to the public, and the owner has received notice from same requesting that repairs be completed within 60 days.

RESOLVED, that pursuant to Section 61 of the City Charter and said Section 45-82.6 of the Duluth City Code, the city council hereby expresses its intent to cause the repair of the sidewalk vault and hereby requests the mayor to prepare or cause to have prepared plans, specifications and estimates therefor, and file such plans and estimates with the special assessment board, together with a recommendation as to what portion of the cost should be paid by special assessment and what portion, if any, should be a general obligation of the city, the number of installments in which assessments may be paid, and the lands which

should include the special assessment:

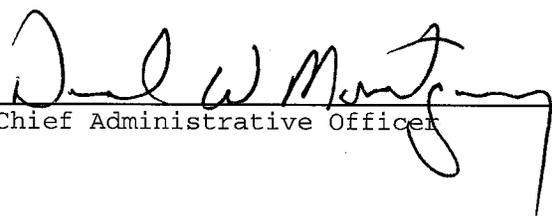
Lot 24, West Fourth Street, Duluth Proper First Division, 114 West Fourth Street.

Approved:



Department Director

Approved for presentation to council:



Chief Administrative Officer

Approved as to form:



Attorney

Approved:



Auditor

ENG CJV:jh 1/24/2011

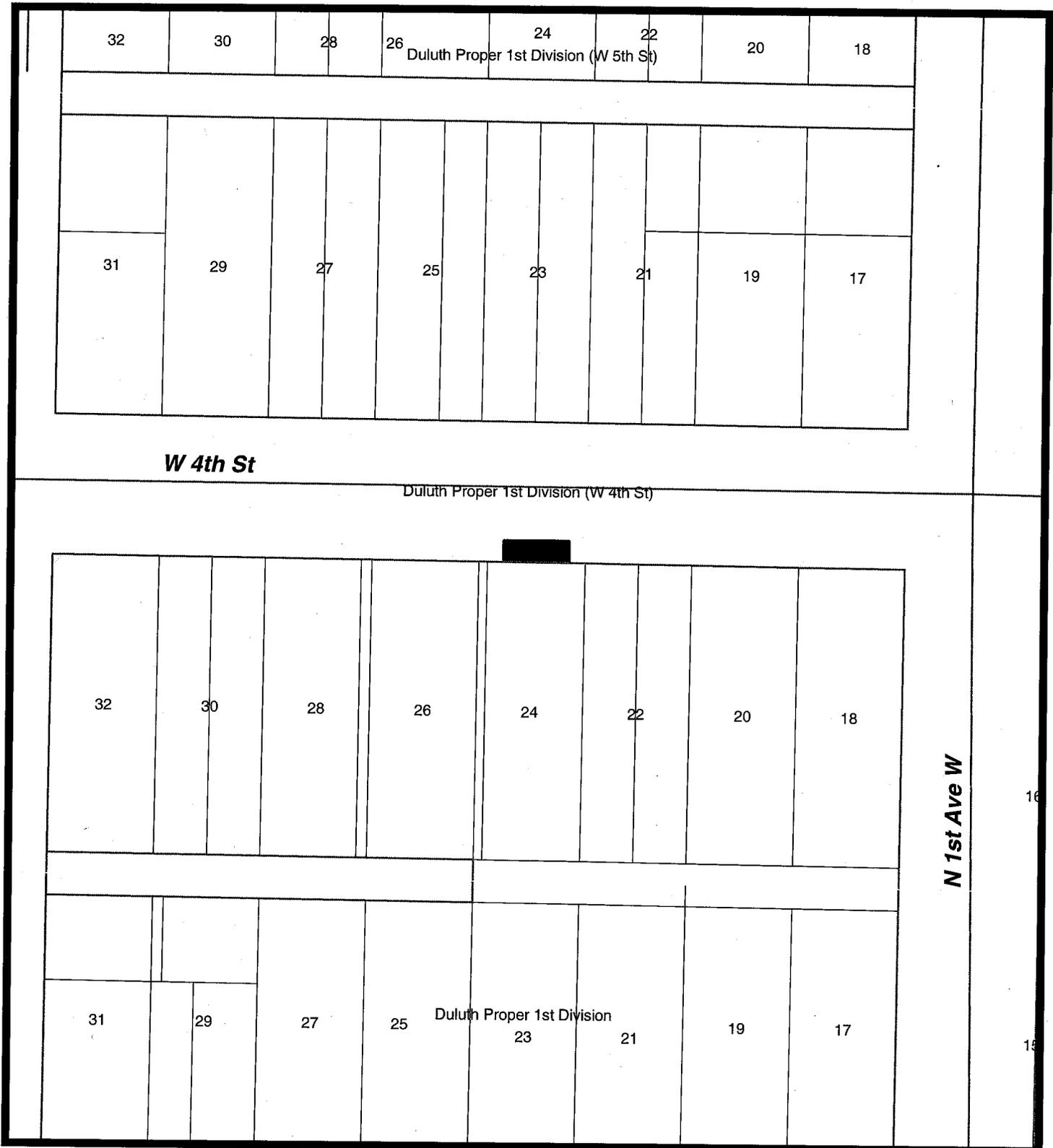
STATEMENT OF PURPOSE: This resolution begins the formal process of making assessable repairs to the sidewalk vault owned by Mr. Kurt Peters located at 114 West Fourth Street.

As provided for in Section 61 of the Charter, the process can be commenced by petition or by action of the city council itself. The latter route is being used in this case as the owner of the vault has indicated that he cannot pay for the repairs due to lack of available financing. He has submitted plans and they have been approved. However, the repair has not been performed.

In 1910 the owner of the property requested permission from the city to build a vault under the sidewalk, within city right-of-way, to serve the building. Such vaults were common at that time as a convenient place to receive goods and fuel delivered to adjacent buildings. The city agreed to allow the construction of the vault under the usual and customary agreement pursuant to which the owner/applicant agreed to maintain the vault and sidewalk above it and to remove the vault if and when requested by the city.

As is normal in the assessment procedure, this resolution of intent is the first

step in the process. Once approved it will trigger the preparation of plans and specifications for the work and estimates of the costs and the assessments involved. Notices will then be heard before the special assessment board. After the board makes its recommendations, the matter will return to the city council for consideration of an ordering-in resolution.



W 4th St

Duluth Proper 1st Division (W 4th St)

N 1st Ave W

Sidewalk Vault
114 W 4th Street



Jan 25, 2011

1 inch = 65 feet