

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

12-0149R

RESOLUTION VACATING PORTIONS OF PLATTED WARWICK STREET,
82ND AVENUE WEST, 83RD AVENUE WEST, AND 84TH AVENUE WEST
WITHIN THE SPIRIT MOUNTAIN RECREATION AREA (PL 12-015
SPIRIT MOUNTAIN RECREATION AREA AUTHORITY)

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city requesting the vacation of the platted streets and alleys described below in (d) within the Spirit Mountain Recreation Area; and

(b) Pursuant to Section 100 of the City Charter and Section 50-37.6 of Chapter 50 of the Duluth City Code, 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 portions of platted streets and alleys are useless for vehicular, utility and pedestrian purposes; and

(c) The city planning commission, at its Tuesday, March 13, 2012, regular meeting, recommended approval of the vacation petition; and

(d) The city council of the city of Duluth approves the vacation of the following described portions of platted streets and alleys described below and as described and depicted on Public Document No. _____:

The West Half of 84th Avenue West, from the north line of Warwick Street to the easterly extension of the south line of Lot 19, Block 2, IRONTON FIRST DIVISION to Duluth, Minnesota.

The West Half of 84th Avenue West, from the south line of Warwick Street to the easterly extension of the north line of Lot 5, Block 15, IRONTON FIRST DIVISION to Duluth, Minnesota.

The East Half of 84th Avenue West, from the north line of Warwick Street to the westerly extension of the south line of Lot 13, Block 3, IRONTON FIRST DIVISION to Duluth, Minnesota.

The East Half of 84th Avenue West, from the south line of Warwick Street to the westerly extension of the north line of Lot 11, Block 14, IRONTON FIRST DIVISION to Duluth, Minnesota.

The West Half of 83rd Avenue West, from the north line of Grand Avenue to the south line of Warwick Street, IRONTON FIRST DIVISION to Duluth, Minnesota.

The West Half of 83rd Avenue West, from the north line of Warwick Street to the easterly extension of the south line of Lot 13, Block 4, IRONTON FIRST DIVISION to Duluth, Minnesota.

The East Half of 83rd Avenue West, from the north line of Warwick Street to the westerly extension of the south line of Lot 15, Block 5, IRONTON FIRST DIVISION to Duluth, Minnesota.

The West Half of 82nd Avenue West, from the north line of Grand Avenue to the easterly extension of the south line of Lot 15, Block 6, IRONTON FIRST DIVISION to Duluth, Minnesota.

Warwick Street, from the east line of 85th Avenue West to the centerline of 83rd Avenue West, IRONTON FIRST DIVISION to Duluth, Minnesota.

The North Half of Warwick Street, from the centerline of 83rd Avenue West to the north line of Grand Avenue, IRONTON FIRST DIVISION to Duluth, Minnesota.

The Alley between Block 1 and Block 2, IRONTON FIRST DIVISION to Duluth, Minnesota, from the north line of Warwick Street to the easterly extension of the south line of Lot 19, Block 1.

The Alley between Block 3 and Block 4, IRONTON FIRST DIVISION to Duluth, Minnesota, from the north line of Warwick Street to the easterly extension of the south line of Lot 13, Block 3.

The Alley between Block 5 and Block 6, IRONTON FIRST DIVISION to Duluth, Minnesota, from the north line of Warwick Street to the easterly extension of the south line of Lot 15, Block 5.

The East Half of the Alley between Block 13 and Block 14, IRONTON FIRST DIVISION to Duluth, Minnesota, from the south line of Warwick Street to the westerly extension of the north line of Lot 13, Block 13.

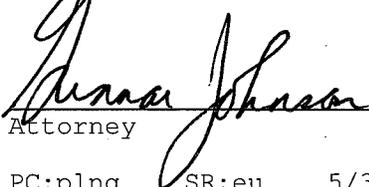
The West Half of the Alley between Block 13 and Block 14, IRONTON FIRST DIVISION to Duluth, Minnesota, from the south line of Warwick Street to the easterly extension of the north line of Lot 11, Block 14.

The Alley between Block 15 and Block 16, IRONTON FIRST DIVISION to Duluth, Minnesota, from the south line of Warwick Street to the westerly extension of the north line of Lot 5, Block 15.

(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
showing the platted streets and alleys to be vacated.

Approved as to form:



Attorney

PC:plng SR:eu 5/3/2012

STATEMENT OF PURPOSE: This resolution vacates unimproved right of way with the Spirit Mountain Recreation Area to allow for design and construction of a new chalet and parking facility. With the exception of one set of lots adjacent to Grand Avenue that is owned by the State of Minnesota, the City is the fee owner for all lots adjacent to the right of way.

On March 13, 2012, the Duluth city planning commission held a public hearing on the proposal and voted unanimously (9-0) to recommend that the city council approve the street vacation.

The motion to approve the vacation by the city council must prevail with at least six affirmative votes.

Petition Received: February 2, 2012
Action Deadline: There is no action deadline for this resolution.

Applicant:
Renee Mattson, Executive Director
Spirit Mountain Recreation Area Authority
9500 Spirit Mountain Place
Duluth, Minnesota 55810
renee@spiritmt.com

DESCRIPTIONS OF STREETS AND ALLEYS TO BE VACATED.

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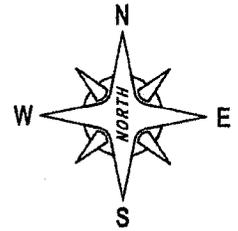
THOMPSON ST.

51

ROE ST.

36

NW 1/4 OF NE 1/4
SECTION 23, T. 49 N., R. 15 W.



NE 1/4 OF NE 1/4

FRENCH ST.

85th AVE. W.

35

1

2

84th AVE. W.

3

4

83rd AVE. W.

5

6

82nd AVE. W.

7

8

81st AVE. W.

WARWICK ST.

GRAND AVENUE

20

16

15

14

13

BESSEMER ST.

SE 1/4 OF NE 1/4

SEE DESCRIPTIONS ON
ATTACHED SHEET

E-1878N

P:\JOB\12\120910\dwg\SRVRY\Vacation Exhibit.dwg, 4/18/2012 1:34:45 PM, JFowlds

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULUTH LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
James W. Fowlds
James W. Fowlds
SIGNATURE PRINTED NAME

DATE	4/3/12	1	4/3/12	REVISED STREETS	W/F
DATE	10/18/12	2	4/18/12	REVISED STREETS	W/F
DATE		3			
DATE		4			

STREET & ALLEY VACATION EXHIBIT
PART OF IRONTON FIRST DIVISION TO DULUTH