

**STREET VACATION 1/20/69
PARRELL AVENUE NORTH OF W. 66th ST.**

A RESOLUTION VACATING A PORTION OF
PARNELL AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on January 20, 1969, at 7:00 p.m., on the proposed vacation hereinafter described has been given and made and a hearing has been held thereon by the Village Council;

NOW, THEREFORE, be it resolved by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Parnell Avenue, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective February 25, 1969, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

All that part of Parnell Avenue lying between a line parallel with and three feet North of the Westerly extension of the South line of Lot 5, Block 19, "Normandale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Normandale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

ADOPTED this 20th day of January, 1969.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina Village Council at its regular meeting of January 20, 1969, and that said resolution has not been amended, annulled, or rescinded by the Village/City Council, said resolution having been filed on March 14, 1969, said resolution having been filed on March 14, 1969, as Document No. 3766244 office of the Registrar of Deeds in and for Hennepin County.

City Clerk

IN PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND

A-10199

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of)

IRVING J. CARR and CATHERINE A. CARR)

in Relation to Land in the County)
of Hennepin and State of Minnesota)
Described in Certificate of Title)
No. 404033, as follows:)

ORDER TO SHOW CAUSE

That part of Lot 3 lying West of the East)
123 feet thereof;)
Lots 4 and 5; all in Block 18, "Normandale",)
according to the recorded plat thereof.)

TO: The City of Eden

Upon receiving and filing the Report of the Examiner of Titles in the above entitled matter,

IT IS ORDERED, that you, and all persons interested, appear before this Court on the 21st day of November, 19 78, at 2:00 P.M. in Room A702 of the Hennepin County Government Center in said County, and then, or as soon thereafter as said matter can be heard, show cause, if any there be, why this Court should not enter an Order as follows:

(Order attached hereto marked Exhibit "A")

IT IS FURTHER ORDERED, that this Order be served: (a) at least 10 days prior to such hearing upon the above named parties residing in this State in the manner provided by law for the service of Summons in a civil action; (b) it shall be served at least 14 days prior to such hearing upon any of the above named non-residents by sending a copy of this Order to such non-resident at his post office address, by registered or certified mail, return receipt; (c) it shall be served upon any party who cannot be found by two weeks published notice and by sending a copy of this Order at least 14 days prior to the hearing by first class mail to such party at his last known address and by sending another copy of this Order at least 14 days prior to the hearing by first class mail to his address as stated on the Certificate of Title if an address is so stated.

Dated: November 7, 19 78.

By A. Paul Lommen JUDGE

Attendance is not required at said time except to object to the entry of the above described Order.

Approved:
RICHARD W. EDBLOM, Examiner of Titles

By H. Gerald Floreen
Deputy Examiner

EXHIBIT "A"

1. That the Registrar of Titles, upon the filing with him of a certified copy of this Order, show by memorial that the following portions of vacated avenues are to be added to the land description contained in said Certificate of Title No. 494843:

That part of the adjoining vacated Ryan Ave. lying Easterly of the center line thereof and between the Westerly extensions across it of the South line of said Lot 5 and the South line of the North 45 feet of said Lot 3.

That Part of the adjoining vacated Parnell Ave. lying Westerly of the center line thereof and between the Easterly extension across it of the North line of the South 3 feet of said Lot 5, and Southerly of a line commencing at the Northeast corner of said Lot 4; thence Southerly along the Easterly line thereof 50 feet to the point of beginning and thence Southeasterly along a tangential curve concave to the Northeast having a radius of 50 feet to said center line;

and that upon the issuance of future Certificates of Title issued for said land, he carry forward the added land description into the body of the Certificate of Title and that he omit from said future Certificates of Title the memorials of Document Nos. 1005233, 1297500 and of this Order.

November 17, 1978

Mr. Conrad Carr
8011 Nicollet Ave. S.
Minneapolis, MN 55420

Dear Mr. Carr:

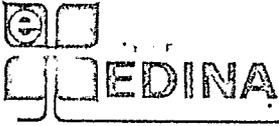
Enclosed herewith are certified copies of resolutions vacating portions of Parnell Ave. and Ryan Ave. which you requested.

Please do not hesitate to call me if all is not in order.

Yours very truly,

City Clerk

enclosures



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

A RESOLUTION VACATING A PORTION OF
PARNELL AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on January 20, 1969, at 7:00 p.m., on the proposed vacation hereinafter described has been given and made and a hearing has been held thereon by the Village Council;

NOW, THEREFORE, be it resolved by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Parnell Avenue, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective February 25, 1969, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

All that part of Parnell Avenue lying between a line parallel with and three feet North of the Westerly extension of the South line of Lot 5, Block 19, "Normandale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Normandale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

ADOPTED this 20th day of January, 1969.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina Village Council at its regular meeting of January 20, 1969, and that said resolution has not been amended, annulled, or rescinded by the Village/City Council, said resolution having been filed on March 14, 1969, said resolution having been filed on March 14, 1969, as Document No. 3766244 office of the Registrar of Deeds in and for Hennepin County.

City Clerk

Street Vacation

Filed 3/14/69

Document No

3766244

Registrar of Deeds
(County Recorder)

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
VILLAGE OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting Village Clerk of the Village of Edina, Minnesota, hereby certify that on the following date Jan. 10, 19 69, acting on behalf of said Village I deposited in the United States mail copies of the attached NOTICE OF PUBLIC HEARING ON STREET VACATION ON PORTION OF PARNELL AVENUE

(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said Village this 10th day of January, 19 69.

Dorrence B. Hallberg
Edina Village Clerk

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON STREET VACATION
ON PORTION OF PARNELL AVENUE

EDINA VILLAGE COUNCIL will meet Monday, January 20, 1969, at 7:00 p.m. in the Edina Village Hall, 4801 W. 50th Street, and will at said place and time consider the following street vacation:

All that part of Parnell Avenue lying between the Westerly extension of the South line of Lot 5, Block 19, "Normandale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Normandale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

All objections and recommendations will be heard at said Meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE E. HALLBERG
Village Clerk

January 3, 1969

Mailing List - Notice of Public Hearing
Street Vacating - Parnell Ave. between
W. 66th St & L 4, Normandale II Addr.

Normandale Addr.

Bl 19 L 4 } Dennis H. Danelson - 4720 W. 66th St
5 }

Bl 18 L 4 } John T. Bessesen - 4730 W. 66th St.
5 }

Frank Kreiser 5050 France Ave So.
D.S.P.
Mpls. Gas Co.
Newbell

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON STREET VACATION
ON PORTION OF PARNELL AVENUE

EDINA VILLAGE COUNCIL will meet Monday, January 20, 1969, at 7:00 p.m. in the Edina Village Hall, 4801 W. 50th Street, and will at said place and time consider the following street vacation:

All that part of Parnell Avenue lying between the Westerly extension of the South line of Lot 5, Block 19, "Normendale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Normendale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

All objections and recommendations will be heard at said Meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

Please publish on January 2, 1969 of the
Please send us two Affidavits of Publication.
Please send us ten clippings.

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

+ 3 ft north of the ~~western~~ *western*

ORDER OF SUPERVISORS ON SUPERVISOR RESOLUTION
ON SUBJECT OF FANFELL AVENUE

VILLAGE BOARD MEETING will meet Monday, January 20, 1969, at 7:00 p.m. in the Edina Village Hall, 4801 W. 50th Street, and will at said place and time consider the following street location:

All that part of Fanfell Avenue lying between ^{a line parallel with} ~~the western~~ ^{and 3 feet north of the western} ~~boundary~~ ^{of the south line of} Lot 5, Block 19, "Hokmandale" and a circular line (concave to the North and having a radius of 30 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Hokmandale" and 50 feet South of the westerly extension of the North line of said Lot 4.

All objections and recommendations will be heard at said Meeting.

BY ORDER OF THE VILLAGE COUNCIL,

ELEMENT D. FANFELL
Village Clerk

January 3, 1969

NSP

NORTHERN STATES POWER COMPANY

January 14, 1969

Florence B. Hallberg
Village Clerk
Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

Dear Mrs. Hallberg:

This is to acknowledge receipt of notice of public hearing on the proposed vacation of a portion of Parnell Ave. which portion is described as follows:

All that part of Parnell Avenue lying between the Westerly extension of the South line of Lot 5, Block 19, "Normandale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Normandale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

Please be advised that we have no objection to this vacation.

Thank you for your consideration in this matter.

Yours truly,

E.P. Robertson
Distribution Superintendent
Minneapolis Division

By George C. Lewis
George C. Lewis
Senior Right of Way Agent

EPR/GCL/pr

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

L57-27
No facilities.
G.L. 1-13-68

NOTICE OF PUBLIC HEARING ON STREET VACATION
ON PORTION OF BARNELL AVENUE

SAYED VILLAGE COUNCIL will meet Monday, January 20, 1969, at 7:00 p.m. in the Edina Village Hall, 4801 W. 50th Street, and will at said place and time consider the following street vacation:

- * All that part of Barnell Avenue lying between the Westerly extension of the South line of Lot 5, Block 19, "Hammondale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Hammondale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

All objections and recommendations will be heard at said hearing.

BY ORDER OF THE VILLAGE COUNCIL,

FLORENCE B. HALLIDAY
Village Clerk

January 3, 1969

MINNEAPOLIS GAS COMPANY

MINNEAPOLIS, MINNESOTA 55402

January 15, 1969

Mrs Florence B Hallberg
Edina Village Hall
4801 West 50 Street
Edina, Minnesota 55424

Dear Mrs Hallberg

Thank you for sending notices of proposed vacations of the following streets

1. Parnell Avenue from West 66 Street extending approximately 142 feet north.
2. West 69½ Street between France Avenue and the east line of Lot 1, Replat of Lot 2, Block 1, South Office Park 1st Addition.

We have no installations in those streets and do not object to their vacation.

Sincerely



Warner P Blake
Operations Planning Engineer

WPB:kg

SUN NEWSPAPERS

AFFIDAVIT OF PUBLICATION

EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } SS.

W. JOHN BERTRAM, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

(Official Publication)
VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON STREET VACATION ON PORTION
OF PARSELL AVENUE
EDINA VILLAGE COUNCIL will meet
Monday, January 20, 1969, at 7:00 p.m. in
the Edina Village Hall, 4801 W. 50th Street,
and will at said place and time consider
the following street vacation:
- All that part of Parnell Avenue lying
between the Westerly extension of the
- South line of Lot 5, Block 19, "Norman-
dale" and a circular line (concave to the
North and having a radius of 50 feet)
the center of said circle being 10 feet
West of the West line of Lot 4, Block 19,
"Normandale" and 50 feet South of the
Westerly extension of the North line of
said Lot 4.
- All objections and recommendations will be
heard at said Meeting.
BY ORDER OF THE VILLAGE COUNCIL,
FLORENCE B. HALLBERG
Village Clerk
(Jan. 2 & 9, 1969)-EC-2A-10C

NOTICE OF PUBLIC HEARING

He further states on oath that the printed hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for 2 successive weeks;

that it was first so published on Thurs. the 2 day of Jan. 19 69

and was thereafter printed and published on every Thurs. to and including

Thurs. the 9 day of Jan. 19 69 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:
abcdefghijklmnopqrstuvwxy z

Handwritten signature of W. John Bertram

Subscribed and sworn to before me this 9 day of Jan. 19 69

(Notarial Seal)
Barbara Samuelson, Notary Public, Ramsey County, Minn.

My Commission Expires November 8, 1971

SUN NEWSPAPERS

AFFIDAVIT OF PUBLICATION

EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } SS.

W. JOHN BERTRAM, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

(Official Publication)
VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON STREET VACATION ON PORTION
OF PARNELL AVENUE
EDINA VILLAGE COUNCIL will meet
Monday, January 20, 1969, at 7:00 p.m. in
the Edina Village Hall, 4801 W. 50th Street,
and will at said place and time consider
the following street vacation:
All that part of Parnell Avenue lying
between the Westerly extension of the
South line of Lot 5, Block 19, "Norman-
dale" and a circular line (concave to the
North and having a radius of 50 feet)
the center of said circle being 10 feet
West of the West line of Lot 4, Block 19,
"Normandale" and 50 feet South of the
Westerly extension of the North line of
said Lot 4.
All objections and recommendations will be
heard at said Meeting.
BY ORDER OF THE VILLAGE COUNCIL.
FLORENCE B. HALLBERG
Village Clerk
(Jan. 2 & 9, 1969) - EC-2A-10C

He further states on oath that the printed NOTICE OF PUBLIC HEARING hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for 2 successive weeks;

that it was first so published on Thurs. the 2 day of Jan. 19 69

and was thereafter printed and published on every Thurs. to and including

Thurs. 9 day of Jan. 19 69 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:
abcdefghijklmnopqrstuvwxy

Handwritten signature of W. John Bertram

Subscribed and sworn to before me this 9 day of Jan. 19 69

(Notarial Seal)
Barbara Samuelson, Notary Public, Ramsey County, Minn.

My Commission Expires November 8, 1971

Filed 5/19/69

3775659

May 12, 1969

Mr. Thomas S. Erickson
Dorsey, Marquart, Windhorst, West & Halliday
2400 First National Bank Bldg.
Minneapolis, Minn. 55402

Dear Tom:

Enclosed is an original and two copies of an easement over a part of vacated Farnell Avenue which has been executed by Mr. and Mrs. John T. Bessessen.

Will you please see that this document is filed and return two copies to me?

Yours very truly,

Village Clerk

Ebh
enclosures

C
O
P
Y

Filed 5/19/69

Document No.
3775659

EASEMENT

THIS INSTRUMENT, Made this 9th day of May, 1969, by and between John T. Bessesser & Laurel T. Bessesser
Husband + Wife, of the County of Hennepin and State of Minnesota, parties of the first part, and the Village of Edina, a municipal corporation organized under the laws of the State of Minnesota, party of the second part;

WITNESSETH, That the said parties of the first part, in consideration of One and No/100 Dollars (\$1.00), to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do Grant, Bargain, Sell, Convey and Warrant to said party of the second part an Easement in perpetuity for all utility and drainage purposes including, but not being limited to, sanitary sewer, storm sewer, water pipes, including the right to enter for the purpose of constructing, maintaining, altering, repairing and reconstructing said utility and drainage systems in and over the following described property situate in the County of Hennepin and State of Minnesota, to-wit:

An easement over that part of vacated Parnell Avenue described as follows:
Beginning at the Northwest corner of Lot 2, Block 1, Normandale-Grainer Replat; thence South along the West line of said Lot 2 a distance of twenty-two feet (22'); thence West, at right angles to said West line, a distance of five feet (5'); thence North, parallel to and five feet (5') West of said West line of Lot 2, to an intersection with a circular curve (concave to the North and having a radius of fifty feet (50')) the center of said circle being ten feet (10') West of the Southwesterly extension of the West line of Lot 5, Block 1, Normandale-Wicklund Replat and fifty feet (50') South of the Westerly extension of the South line of said Lot 5; thence Southwesterly along said circular curve to the point of beginning.

It is the intention and agreement of the Parties hereto that the party of the second part shall in the construction, or maintenance of said utility and drainage systems replace any shrubs or sod removed by any excavation in connection with such construction or maintenance work, in as nearly as possible the same condition as before such excavation.

THIS INSTRUMENT IS EXEMPT FROM THE STATE DEED TAX.

A RESOLUTION VACATING A PORTION OF
PARNELL AVENUE

WITNESSES, two weeks' published, posted and mailed notice of a hearing to be held on January 20, 1969, at 7:00 p.m., on the proposed vacation hereinafter described has been given and made and a hearing has been held thereon by the Village Council;

NOW, THEREFORE, be it resolved by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Parnell Avenue, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective February 23, 1969, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

All that part of Parnell Avenue lying between a line parallel with and three feet north of the westerly extension of the south line of Lot 5, Block 19, "Normandale" and a circular line (concave to the north and having a radius of 50 feet) the center of said circle being 10 feet west of the west line of Lot 4, Block 19, "Normandale" and 50 feet south of the westerly extension of the north line of said Lot 4.

ADOPTED this 20th day of January, 1969.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its regular meeting of January 20, 1969, and that said resolution has not been amended, annulled or rescinded by the City Council.

WITNESS my hand and seal of said City this 17th day of November, 1973.

City Clerk

A RESOLUTION VACATING A PORTION OF
PARNELL AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on January 20, 1969, at 7:00 p.m., on the proposed vacation hereinafter described has been given and made and a hearing has been held thereon by the Village Council;

NOW, THEREFORE, be it resolved by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Parnell Avenue, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective February 23, 1969, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

All that part of Parnell Avenue lying between a line parallel with and three feet north of the westerly extension of the south line of Lot 5, Block 19, "Normandale" and a circular line (concave to the north and having a radius of 50 feet) the center of said circle being 10 feet west of the west line of Lot 4, Block 19, "Normandale" and 50 feet south of the westerly extension of the north line of said Lot 4.

ADOPTED this 20th day of January, 1969.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its regular meeting of January 20, 1969, and that said resolution has not been amended, annulled or rescinded by the City Council.

WITNESS my hand and seal of said City this 17th day of November, 1973.

City Clerk

1/20/69

He suggested that a traffic count be made before the improvement is installed and that another count be made after the street is completed. If there is a substantial increase in traffic from outside the area, he would then recommend some kind of barricade which could be put up so that only emergency vehicles could enter the area at that point. Councilman Johnson noted that the six people who refused to sign the petition have as much right to protection as any other residents of the Village. Mr. Hyde said that this is really the longest cul-de-sac in the Village and that cul-de-sacs are now limited to 700 feet because of this very problem. An unidentified lady mentioned the danger to children walking in the street if additional traffic should result. Councilman Shaw said that after hearing arguments presented by property owners, he would recommend that a gate be installed if the traffic count proposed by Mayor Bredesen indicates a need. Councilman Johnson advised that he does not see why a gate is needed in this area any more than in any other area and that he believes that this would only set a precedent in the Village. He further said that if this improvement is necessary to get emergency vehicles into the area, then the improvement should be authorized inasmuch as Council has an obligation for the safety of all residents. Mrs. P. F. Pierce, 4804 Sunnyside Road, said that it is because of the extremely narrow road that traffic should be restricted and questioned how it can be determined if the cars involved in the traffic count are driven by an area resident or by people from other areas of the metropolitan district. Mayor Bredesen replied that if there is an appreciable difference in the count, then someone would be stationed in the area to ask drivers the destinations of the vehicles. Following considerable discussion, Councilman Shaw moved that the street be improved as proposed, with the provision that, because of the eighteen foot street width, a traffic count be taken in accordance with Mayor Bredesen's suggestion, and if the traffic count of vehicles from outside the Sunnyside area proves to be substantially in excess of the traffic count taken before the improvement is constructed, that a gate be installed at the corner of Mackey Avenue and W. 44th Street. Mr. Pierce urged that the gate be installed before the road is opened and that a minimum improvement, without curb and gutter be installed. Mayor Bredesen assured the group that results of traffic counts taken, first in April or May, and again in August or September after the improvement has been completed, would be reported back to a committee of neighbors. Dr. Zahalka requested that the legality of closing the street be referred to the Attorney General. Additional discussion ensued, following which Councilman Shaw's motion was seconded by Councilman Courtney and the roll being called, votes were cast as follows: Councilman Courtney, "aye"; Councilman Johnson, "nay", stating that he favors the street improvement as originally proposed as being necessary for the protection of residents in the area, but that he opposes installation of the gate as being an unsound method of traffic control, of questionable legality, creating an unhealthy precedent and because he does not believe the eighteen foot road to be a sound reason for installing the gate; Councilman Shaw, "aye"; Councilman VanValkenburg, "nay", stating that he favors the construction of the road as proposed but that he does not want to be in the position of assuring residents that the road will be closed if such action would be illegal. The motion having lost, Councilman Courtney's motion that a legal opinion be rendered by the Village Attorney as to blocking the road and that the matter be tabled for consideration to see if the promise implied in the motion can be kept, was then seconded by Councilman Shaw and carried. Residents were advised that when the opinion is received, they will receive notices of a new hearing.

PARNELL AVENUE STREET VACATION APPROVED. Affidavits of Notice were approved as presented by Clerk and ordered placed on file. Mr. Hoisington presented the request for vacation of a portion of Parnell Avenue lying north of West 66th Street, advising that Normandale Addition, Kreiser Replat, had been approved and variances granted in reliance on the vacation of this portion of Parnell Avenue. Councilman VanValkenburg thereupon offered the following resolution as recommended by the staff and the Planning Commission and moved its adoption:

RESOLUTION VACATING A PORTION OF
PARNELL AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on January 20, 1969, at 7:00 p.m., on the proposed street vacation hereinafter described has been given and made and a hearing has been held thereon by the Village Council:

NOW, THEREFORE, be it resolved by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Parnell Avenue, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective February

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25, 1969, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

All that part of Parnell Avenue lying between a line parallel with and three feet North of the Westerly extension of the South line of Lot 5, Block 19, "Normandale" and a circular line (concave to the North and having a radius of 50 feet) the center of said circle being 10 feet West of the West line of Lot 4, Block 19, "Normandale" and 50 feet South of the Westerly extension of the North line of said Lot 4.

Motion for adoption of the resolution was seconded by Councilman Courtney and on rollcall there were five ayes and no nays and the resolution was adopted.

ATTEST:

Dorance B. Hallberg
Village Clerk

Arthur C. Dulasek Jr.
Mayor

WEST 69 1/2 STREET VACATION CONTINUED FOR NINETY DAYS. Affidavits of notice were presented by Clerk, approved as to form and ordered placed on file. Mr. Hyde advised that the vacation of West 69 1/2 Street, located just west of France Avenue, had been continued from August 5, 1968, so that it might be known just what plans the County Library was making for its Regional Branch. He advised that it is his understanding that the County has taken options on property somewhere South of W. 70th Street. A letter has been received from Dayton Development Corporation requesting that the matter be again continued until plans for the "library" site have been finalized. Mr. Hyde advised that the two buildings on either side of West 69 1/2 Street need this property for parking. Mr. James Hoben, owner of the property at 6950 France Ave. S., advised that his concern is that the street be improved for parking if it is not to be vacated, and if it is vacated, the land will be improved for a parking lot for the two adjacent buildings. It was noted that this street which was dedicated but never improved, might be needed if the property to the west should be subdivided. Councilman Shaw's motion that the matter be continued for not more than ninety days and that the Planning Commission be instructed to study the matter and make a recommendation to Council was seconded by Councilman Johnson and carried.

HYDE PARK GRANTED PRELIMINARY PLAT APPROVAL SUBJECT TO EXCHANGE OF DEEDS BETWEEN DEVELOPER AND THE VILLAGE. Affidavits of Notice were presented by the Clerk, approved as to form and ordered placed on file. Mr. Hoisington presented Hyde Park for preliminary plat approval, advising that this twenty-four lot plat is located south of Dewey Hill Road just east of Braemar Park. Mr. Edward Johnston advised that he is the contract buyer and that he cannot get a deed to the property until the transfer of land is approved. Mr. Hoisington advised that Planning Commission and the Park Board have recommended approval subject to approval of the exchange of deeds which is being worked out. Councilman Johnson thereupon offered the following resolution and moved its adoption:

RESOLUTION APPROVING PRELIMINARY PLAT OF
HYDE PARK

BE IT RESOLVED by the Edina Village Council that that certain plat entitled "Hyde Park", platted by Edward Johnston and presented at the meeting of the Village Council of January 20, 1969, be and is granted preliminary plat approval, subject, however, to exchange of deeds between the property owner and the Village of Edina.

Motion for adoption of the resolution was seconded by Councilman Shaw and on rollcall there were five ayes and no nays and the resolution was adopted.

ATTEST:

Dorance B. Hallberg
Village Clerk

Arthur C. Dulasek Jr.
Mayor

JOHN R. ERLANDSON INSECTICIDE COMPLAINT REFERRED TO MOSQUITO ABATEMENT DISTRICT AND TO PARK DEPARTMENT. Mr. Hyde advised that a letter had been received from Mr. John R. Erlandson, 6501 Nordic Drive, expressing concern that insecticides used were killing wild life in the area. Councilman Courtney's motion referring the letter to the Mosquito Abatement District and to the Edina Park Department was seconded by Councilman Johnson and carried.

February 26, 1969

Mr. Thomas S. Erickson
Dorsey, Marquart, Windhorst, West & Halliday
2400 First National Bank Bldg.
Minneapolis, Minn. 55402

Dear Tom:

Enclosed is a resolution adopted by the Edina Village Council vacating a portion of Parnell Avenue.

Will you please see that this document is filed?

Yours very truly,

Village Clerk

Ebh
enclosures

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