

STREET VACATION 2/21/66
BROOKSIDE AVE.

084348

REGISTERED FOR DEEDS

ATTEST
M. T. NELSON
REGISTERER OF DEEDS
DENVER

RESOLUTION VACATING A PORTION OF
BROOKSIDE AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on February 21, 1966, at 7:00 P.M., on the proposed vacation of the street 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 Brookside Ave. all as placed and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective March 25, 1966, unless on or before said date this Resolution is amended or rescinded by the Village Council;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 13, Block 21, Emma Abbott Park extended Easterly and lying North of the North line of Lot 12, Block 21, Emma Abbott Park extended Easterly;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 9, Block 21, Emma Abbott Park, extended Easterly and North of the South line of vacated Minneapolis St., Paul and Suburban Railway right-of-way extended Easterly

ATTEST

(Signed) FLORENCE B. HALBERG
Village Clerk

(Signed) ARTHUR C. BROOKS, JR.
Mayor

I, the undersigned, duly appointed and acting Village Clerk for the Village of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing Resolution and that the same is a true and correct copy of a Resolution duly adopted by the Village of Edina Council at its Regular Meeting held Monday, February 21, 1966, and as recorded in the Minutes of said Regular Meeting and that the said Resolution has not been amended, annulled or rescinded since that date by the Village Council. WITNESS my hand and seal of said Village this 28th day of March, 1966.

Florence B. Halberg
Village Clerk
Village of Edina

5-27

XERO COPY

XERO COPY

XERO COPY

(OFFICIAL PUBLICATION)

VILLAGE OF EDINA
4801 W. 50TH ST.
EDINA, MINNESOTA

NOTICE OF PUBLIC HEARING ON PROPOSED
STREET VACATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 50th Street, Edina, on Monday, February 21, 1966, at 7:00 P.M., to consider the proposed vacation of the following street, or portion thereof:

The West 3 feet of Brookside Avenue lying South of the South line of Lot 13, Block 21, Emma Abbott Park extended Easterly and lying North of the North line of Lot 12, Block 21, Emma Abbott Park, extended Easterly;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 9, Block 21, Emma Abbott Park, extended easterly and North of the South line of vacated Minneapolis-St. Paul and Suburban Railway right-of-way extended Easterly.

All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

Please publish in the Edina-Morningside Courier February 10 and 17.
Please send us two (2) Affidavits of Publication.
Please send us ten (10) clippings.

C
O
P
Y

February 23, 1966

Mr. W. A. Parlow
N. W. Bell Telephone Company
8125 Lewis Road
Minneapolis, Minn.

Dear Mr. Parlow:

Enclosed is a copy of a Resolution adopted at the Edina Council Meeting of February 21 relative to the vacation of a portion of Brookside Ave.

Unless we hear from you prior to March 25, 1966, the vacation will be in effect.

Yours very truly,

Village Clerk

Fbh
Encl. 1

C
O
P
Y

February 23, 1966

Mr. Warner P. Blake, Chief Engineer
Minneapolis Gas Company
739 Marquette Ave.
Minneapolis, Minn.

Dear Mr. Blake:

Enclosed is a copy of the Resolution adopted at the Edina Council Meeting of February 21.

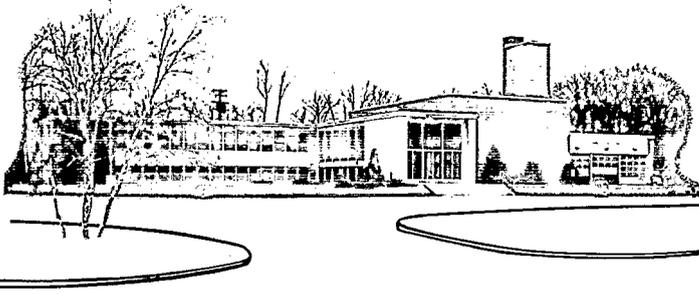
Unless we hear from you prior to March 25, 1966, the vacation will be in effect.

Yours very truly,

Village Clerk

fbh
encl.

*7-1-1
WIS*



*

Village of Edina

4801 WEST FIFTIETH STREET • EDINA 24, MINNESOTA

WALNUT 7-8861

February 23, 1966

Mr. Warner P. Blake, Chief Engineer
Minneapolis Gas Company
739 Marquette Ave.
Minneapolis, Minn.

Dear Mr. Blake:

Enclosed is a copy of the Resolution adopted at the Edina Council Meeting of February 21.

Unless we hear from you prior to March 25, 1966, the vacation will be in effect.

Yours very truly,

Maureen B. Hallacy
Village Clerk

fbh
encl.

*W/Opinion Attached
12/17*

March 1, 1966

Minnegasco has no mains in this area and does not object to the vacation. Thank you very much for this notice.

WPBlake

Suburban Engineering, Inc.

Associates
Robert Minder, Reg. Engr.
Wm. E. Jensen Reg. Engr.
Byron G. Sneva Reg. Engr.
E. A. (Bud) Rathbun, Reg. Surveyor

6875 Highway No. 65 N. E.
Minneapolis, Minnesota 55432
784-6066

Civil & Municipal Engineering
Land Surveyors
Land Planning
Soil Testing

January 18, 1966

The Honorable Mayor and Village Council
% Village Planner
Village of Edina
4801 West 50th St.
Minneapolis, Minnesota 55424

Re: Request for Vacation -
Proposed Dietrich's Brookside Court

Gentlemen:

The Dietrich Company, as owner of the above-referenced parcel of land in the Village of Edina, Minnesota, does hereby apply for a vacation of certain portions of streets in the above property, said portions of streets being more particularly described towit:

The West 3 feet of Brookside Avenue lying South of the South line of Lot 13, Block 21 Emma Abbott Park extended Easterly and lying North of the North line of Lot 12, Block 21 Emma Abbott Park extended Easterly;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 9, Block 21 Emma Abbott Park extended easterly and North of the South line of vacated Minneapolis-St. Paul and Suburban Railway right-of-way extended Easterly.

The Dietrich Company further states that the aforementioned portions of streets are useless for the purpose for which they were laid out and, in fact, have never been physically surfaced.

As it is the contention of the Dietrich Company that it was the intent of the Village of Edina to vacate these portions of streets at the time the 3 foot strip of Brookside Avenue was vacated, and that, in fact, these portions were omitted inadvertantly from that vacation, the Dietrich Company respectfully submits this application for a vacation.

Sincerely,

For the DIETRICH COMPANY

SUBURBAN ENGINEERING, INC.

Bruce A. Paterson

Bruce A. Paterson

RAP*kr

*1 Co. 215 to
Plate 3
Comm. 2/14*

Suburban Engineering, Inc.

Associates

Robert Minder, Reg. Engr.

Wm. E. Jensen Reg. Engr.

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6875 Highway No. 65 N. E.
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*Civil & Municipal Engineering
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Soil Testing*

January 18, 1966

Village of Edina
4801 West 50th St.
Minneapolis, Minnesota 55424

Attn: Village Planner

Re: Request for Vacation -
Proposed Dietrich's Brookside Court

Dear Dick:

Enclosed are two copies of a request for vacation of certain portions of Brookside Avenue in and adjacent to the above-referenced property.

By way of explanation, I am enclosing some prints showing what we feel was the chronological order of prior vacations adjacent to this property and how each vacation affected the property in question.

Plate No. 1 shows the property as it existed prior to vacations.

Plate No. 2 shows the effect of a vacation of the westerly 3 feet of Brookside Avenue. Notice that this vacation only vacated this 3 foot strip along the easterly edge of Lots 9 through 12 and 13 through 16, Block 21, Emma Abbott Park and had no effect on the property then known as High Street, Motor Street and the Minneapolis-St. Paul and Suburban Railroad.

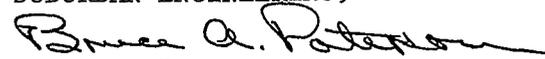
Plate No. 3 shows the effect of the vacation of High Street, Motor Street and the Minneapolis-St. Paul and Suburban Railroad properties. This vacation only vacates these streets easterly to the east line of Block 21, Emma Abbott Park and not to the west line of Brookside Avenue, thereby leaving as a remainder two small rectangles of property which legally are joined to Brookside Avenue.

To clear up this matter, we are formally requesting a vacation of these two parcels, legal descriptions of which are given in the letter to the council.

If you have any questions regarding this matter, please do not hesitate to call on us.

Sincerely,

SUBURBAN ENGINEERING, INC.


Bruce A. Paterson

BROOKSIDE AVENUE

40'

MOTOR STREET

100'

MINNEAPOLIS, ST. PAUL
& SUBURBAN RAILWAY

40'

MOTOR STREET

LOT 9, BLOCK 21,
EMMA ABBOTT PARK



CLARK STREET

BROOKSIDE AVENUE

40'

HIGH STREET

LOT 12, BLOCK 21,
EMMA ABBOTT PARK

LOT 13, BLOCK 21,
EMMA ABBOTT PARK



LOT 13, BLOCK 21
EMMA ABBOTT PARK

STREET

HIGH STREET

40'

BROOKSIDE AVENUE

NOT VACATED

VACATED 3' STRIP

LOT 12, BLOCK 21
EMMA ABBOTT PARK

CLARK STREET

VACATED 3' STRIP

LOT 9, BLOCK 21,
EMMA ABBOTT PARK

MOTOR STREET

40'

NOT VACATED

VACATED 3' STRIP

MINNEAPOLIS, ST. PAUL
& SUBURBAN RAILWAY

100'

BROOKSIDE AVENUE

3'

MOTOR STREET

40'



LOT 13, BLOCK 21
EMMA ABBOTT PARK

CLARK STREET

HIGH STREET

PORTION FOR WHICH
VACATION IS REQUESTED

BROOKSIDE AVENUE



LOT 12, BLOCK 21
EMMA ABBOTT PARK

LOT 9, BLOCK 21,
EMMA ABBOTT PARK

MOTOR STREET

PORTION FOR WHICH
VACATION IS REQUESTED

BROOKSIDE AVENUE



MINNEAPOLIS, ST. PAUL
& SUBURBAN RAILWAY

20' Roadway to be dedicated
in record plat

MOTOR STREET

**(Official Publication)
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All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.
FLORENCE B. HALLBERG
Village Clerk

(Feb. 10 — 17, 1966)—C-2A-10C

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(Feb. 10 — 17, 1966)—C-2A-10C

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

12 Suburban Square

Hopkins, Minnesota

State of Minnesota }
County of Hennepin } SS.

JOHN E. TILTON, being duly sworn, on oath says: that he now is and during all the time here-
in stated has been JOHN E. TILTON, the publisher and printer... of the newspaper
as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed

..... Notice of Public Hearing on Proposed Street.....
..... Vacation.....

hereto attached, said newspaper was printed and published in the English language from its
known office of publication within the County of Hennepin, State of Minnesota, on Thursday of
each week in column and sheet form equivalent in space to 450 running inches of single column
two inches wide; has been issued from a known office established in said place of publication
equipped with skilled workmen and the necessary material for preparing and printing the same:
THE EDINA-MORNINGSIDE COURIER has had in its makeup not less than twenty-five percent
of its news column devoted to local news of interest to said community it purports to serve, the
press work of which has been done in its said known place of publication; has contained general
news, comments and miscellany; has not duplicated any other publication; has not been entire-
ly made up of patents, plate matter and advertisements; has been circulated at and near its
said place of publication to the extent of 240 copies regularly delivered to paying subscribers;
has been entered as second class mail matter in local post office of its said place of pub-
lication; that there has been on file in the office of the County Auditor of said county the
affidavit of a person having first hand knowledge of the facts constituting its qualifications as
a newspaper for publication of legal notices; and that its publishers have complied with all
demands of said County Auditor for proofs of its said qualification. A copy of each issue has
been filed with the State Historical Society, St. Paul.

That the printed..... Notice of P ublic Hearing.....

hereto attached as a part hereof was cut from the columns of said newspaper; was published
therein in the English language once a week for..... 2..... successive weeks; that it was
first so published on the 10..... day of..... Feb., 19 ..66.. and
thereafter on... Thurs. e..... of each week to and including the 17.....
day of Feb., 19 ...66.; and that the following is a copy of the lower case
alphabet which is acknowledged to have been the size and kind of type used in the publica-
tion of said ... Notice of Public Hearing.....
abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this 17 day of Feb., 19 66

Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1966

(Official Publication)
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abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this17..... day ofFeb....., 19 66.

Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1966

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(Feb. 10 - 17, 1966)-C-2A-10C

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 February 8, 1966, acting on behalf of said Village, I deposited in the United States mail copies of the attached

Notice of Public Hearing on Street Vacation

(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 13 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 8th day of February, 1966.

Dorrence B. Hallberg
Edina Village Clerk

Mailing List.

Brookside Ave. Street Vacation

Dietrich Const. Co. - 7900 Douglas Dr. N.

N. S. Pauer

11 W Bell Telephone

Mpls. Gas Co.

NSP

N O R T H E R N S T A T E S P O W E R C O M P A N Y

MINNEAPOLIS, MINNESOTA 55401

February 11, 1966

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

Dear Mrs. Hallberg:

This is to acknowledge receipt of notice of the hearing on the proposed vacation of the following street, or portion thereof:

The West 3 feet of Brookside Avenue lying South of the South line of Lot 13, Block 21, Emma Abbott Park extended Easterly and lying North of the North line of Lot 12, Block 21, Emma Abbott Park, extended Easterly;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 9, Block 21, Emma Abbott Park, extended easterly and North of the South line of vacated Minneapolis-St. Paul and Suburban Railway right-of-way extended Easterly.

Please be advised that we have no overhead or underground electric distribution facilities in the area proposed to be vacated. Therefore we have no objection to said vacation.

Thank you for your kind consideration in this matter.

Yours truly,

E.P. Robertson
Distribution Superintendent
Minneapolis Division

By 
Roy H. Anderson
Senior Right of Way Agent

EPR
RHA:sh

3/2/66 Sent to

Degree of Honor Bldg
St Paul

RESOLUTION VACATING A PORTION OF
BROOKSIDE AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a Hearing to be held on February 21, 1966, at 7:00 P.M., on the proposed street vacation of the street 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 Brookside Ave. 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 March 25, 1966, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

The West 3 feet of Brookside Avenue lying South of the South line of Lot 13, Block 21, Emma Abbott Park extended Easterly and lying North of the North line of Lot 12, Block 21, Emma Abbott Park extended Easterly;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 9, Block 21, Emma Abbott Park, extended easterly and North of the South line of vacated Minneapolis-St. Paul and Suburban Railway right-of-way extended Easterly.

ATTEST:

(signed) FLORENCE B. HALLBERG
Village Clerk

(signed) ARTHUR C. BREBESEN, JR.
Mayor

I, the undersigned, duly appointed and acting Village Clerk for the Village of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing Resolution and that the same is a true and correct copy of a Resolution Vacating a Portion of Brookside Avenue duly adopted by the Village of Edina Council at its Regular Meeting held Monday, February 21, 1966, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said Village this 2nd day of March, 1966.

Village Clerk
Village of Edina

Suburban Engineering, Inc.

Associates

Robert Minder, Reg. Engr.

Wm. E. Jensen Reg. Engr.

Byron G. Sneva Reg. Engr.

E. A. (Bud) Rathbun, Reg. Surveyor

6875 Highway No. 65 N. E.
Minneapolis, Minnesota 55432
784-6066

Civil & Municipal Engineering
Land Surveyors
Land Planning
Soil Testing

January 18, 1966

C
O
P
Y

The Honorable Mayor and Village Council
% Village Planner
Village of Edina
4801 West 50th St.
Minneapolis, Minnesota 55424

Re: Request for Vacation -
Proposed Dietrich's Brookside Court

Gentlemen:

The Dietrich Company, as owner of the above-referenced parcel of land in the Village of Edina, Minnesota, does hereby apply for a vacation of certain portions of streets in the above property, said portions of streets being more particularly described to wit:

The West 3 feet of Brookside Avenue lying South of the South line of Lot 13, Block 21 Emma Abbott Park extended Easterly and lying North of the North line of Lot 12, Block 21 Emma Abbott Park extended Easterly;

The West 3 feet of Brookside Avenue lying South of the South line of Lot 9, Block 21 Emma Abbott Park extended easterly and North of the South line of vacated Minneapolis-St. Paul and Suburban Railway right-of-way extended Easterly.

The Dietrich Company further states that the aforementioned portions of streets are useless for the purpose for which they were laid out and, in fact, have never been physically surfaced.

As it is the contention of the Dietrich Company that it was the intent of the Village of Edina to vacate these portions of streets at the time the 3 foot strip of Brookside Avenue was vacated, and that, in fact, these portions were omitted inadvertently from that vacation, the Dietrich Company respectfully submits this application for a vacation.

Sincerely,

For the DIETRICH COMPANY

SUBURBAN ENGINEERING, INC.

Bruce A. Paterson

Bruce A. Paterson