

STREET VACATION 6/7/65
MOTOR STREET

XERO COPY
REGISTERED NOT 12/23/63 PAGE 381852
REGISTERED NOT 5/82 PAGE 381854
REGISTERED NOT 1/66 PAGE 381854
814822

XERO COPY
814855

ATTEST
BEN K. ALLISON
REGISTRAR OF TITLES
B. Fisher DEPUTY

XERO COPY
I hereby certify that this is a true and correct copy of the original as recorded in the office of the Registrar of Deeds in Hennepin County, Minnesota.
12 09 1965
6:00 PM
RECEIVED
REPAIRS REGISTERED TITLE
REGISTERED TITLES

**RESOLUTION
VACATING A PORTION OF MOTOR STREET**

WHEREAS, two week's published, mailed, and posted notice of a hearing to be held on June 7, 1965, 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 that part of Motor Street beginning at the west line of Lot 2, Block 4, Arden Park III and extending easterly to the west bank of Minnehaha Creek; all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and hereby is vacated effective July 5, 1965, unless on or before said date this Resolution is amended, annulled or rescinded by the Village Council.

ATTEST:

(signed) GEORGE A. LANGMACK Acting Village Clerk
(signed) ARTHUR C. BREDESEN, 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 Edina Village Council at its Regular Meeting held Monday, June 7, 1965, and as recorded in the Minutes of said Regular Meeting, and that said Resolution has not been amended, annulled or rescinded as of the date hereof.

WITNESS my hand and seal of said Village this 5th day of July, 1965.

George A. Langmack
Acting Village Clerk
Village of Edina

orig To 9/8/65
to my inlets
H

7
B.S.H.
Arthur C. Bredeesen, Jr.

January 11, 1972

Mr. James Van Valkenburg
Van Valkenburg, Moss & Flaherty, Ltd.
1645 Gargill Bldg., Northstar Center
Minneapolis, Minnesota 55402

Dear Mr. Van Valkenburg:

Enclosed is a certified copy of the resolution vacating a portion of
Motor Street which was adopted by the Edina Village Council on June 7,
1965, which you requested.

I am returning the \$2.00 check which you sent with your request for the
resolution inasmuch as our charge for certified copies is only \$1.00
per page.

Yours very truly,

Village Clerk

enclosures

Van Valkenburg, Moss & Flaherty, Ltd.

Attorneys at Law

1645 CARGILL BUILDING - NORTHSTAR CENTER • MINNEAPOLIS, MINNESOTA 55402

335-9401

HORACE VAN VALKENBURG
VERNE W. MOSS, JR.
JAMES VAN VALKENBURG
PAUL VAN VALKENBURG
PATRICK F. FLAHERTY
WAYNE A. HERGOTT
JAMES E. O'BRIEN
RICHARD S. ZIEGLER
EDWARD L. WINER
HOWARD J. VOGEL

January 7, 1972

Mrs. Florence Hallberg
Village of Edina
4901 W. 50th Street
Edina, Minnesota 55424

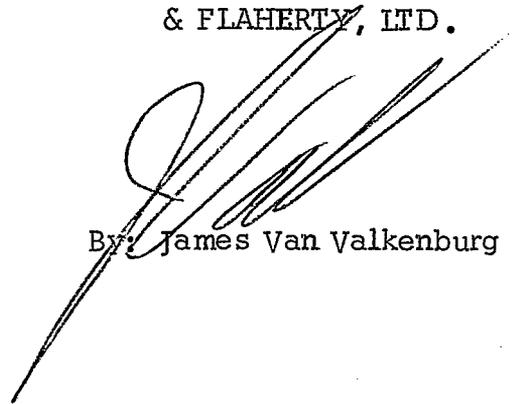
Dear Florence:

I enclose \$2.00 for which please forward me a certified copy of the Resolution of the Council dated July 5, 1965, vacating Motor Street. It is my understanding that the vacation then gave the property to Mr. Eggert and we are concerned with a part of that.

We are concerned with the part that is immediately south of the Mareck property. Call with all questions.

Yours truly,

VAN VALKENBURG, MOSS
& FLAHERTY, LTD.


By: James Van Valkenburg

JW:jd
Encl.

February 20, 1970

Mr. Dan Decowski
Room 106
County Auditor's Office
Hennepin County Court House
Minneapolis, Minn. 55415

Dear Mr. Decowski:

As you requested, I enclose herewith a copy of the recorded resolution vacating a portion of Motor Street.

If you have any questions, please do not hesitate to call me.

Yours very truly,

Village Clerk

enclosure

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 May 24, 19 65, acting on behalf of said Village, I deposited in the United States mail copies of the attached Notice of Hearing on Proposed Vacation of Motor Street

(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 14 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>
NONE	

WITNESS my hand and the seal of said Village this 24th day of May, 19 65.


Acting Edina Village Clerk

A

(OFFICIAL PUBLICATION)
VILLAGE OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424

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, June 7, 1965, at 7:00 P.M., to consider the proposed vacation of the following street, or portion thereof:

MOTOR STREET between the east line of Lot 3, Block 4, Arden Park III Addition and Minnehaha Creek.

All objections and recommendations will be heard at said hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

3

MAILING LIST

VACATION OF MOTOR STREET

1. Waldo T. Mareck L. 1, Bl. 4, Arden Park III
7020 Walker Street
Minneapolis, Minn. 55416

2. A. C. Eggert L. 2, Bl. 4, Arden Park III
5109 West 24th Street
Edina, Minnesota 55424

3. Parts of Lot 27, Brookside Terrace

~~Leon K. Washburn
5135 Motor Street
Edina, Minn. 55424~~ *no*

Sam Heller
5131 Motor Street
Edina, Minn. 55424

~~Mpls. Northfield & So. Ry. Co.
911 Hennepin Avenue
Mpls., Minn. 55403
Mr. Peterson, Eng. Dept.~~ *no*

For file

10-8-64

DORSEY, OWEN, MARQUART, WINDHORST & WEST

LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING

MINNEAPOLIS 2, MINNESOTA

FEDERAL 2-3351

October 6, 1964

OF COUNSEL
LEAVITT R. BARKER
LELAND W. SCOTT
HUGH H. BARBER

JAMES E. DORSEY (1888-1959)	DUANE E. JOSEPH
DAVID E. BRONSON	JOHN W. JONES
KENNETH M. OWEN	JAMES B. VESSEY
DONALD WEST	WILLIAM A. WHITLOCK
WALDO F. MARQUART	CHARLES O. HOWARD
JOHN W. WINDHORST	THOMAS M. BROWN
HENRY HALLADAY	CORNELIUS D. MAHONEY
JULE M. HANNAFORD	THOMAS S. ERICKSON
ARTHUR B. WHITNEY	EDWARD J. SCHWARTZBAUER
JOHN G. DORSEY	MICHAEL E. BRESS
RUSSELL W. LINDQUIST	PAUL G. ZERBY
DAVID R. BRINK	RAYMOND A. REISTER
HORACE E. HITCH	JOHN J. TAYLOR
VIRGIL H. HILL	BERNARD G. HEINZEN
ROBERT V. TARBOX	WILLIAM J. HEMPEL
DEFOREST SPENCER	JOHN S. HIBBS
ROBERT J. JOHNSON	DOUGLAS L. WORTHING
MAYNARD B. HASSELOQUIST	THOMAS A. WENTZ
PETER DORSEY	ROBERT O. FLOTTEN
GEORGE F. FLANNERY	MORTON L. SHAPIRO
CURTIS L. ROY	
ARTHUR E. WEISBERG	

*GREYHAWK
Please note
Belt
to Erickson*

Mr. George Hite
Village of Edina
4801 West 50th Street
Edina, Minnesota

RE: Motor Street, vacated.

Dear George:

I enclose herewith a Notice of Adverse Claim for the purpose of filing of record the easement from Minneapolis, Northfield and Southern Railway over Motor Street, vacated. This notice is necessary because the registered owner of the property is other than Minneapolis, Northfield and Southern Railway, as you can see from the notice. Mr. McPherson at M.N. & S. advises me that they acquired title to all properties owned by the Traction Company pursuant to a receivership proceeding. They apparently were not aware of the fact that this property was also in the name of the Traction Company and they have done nothing to get the property placed in their name.

Will you please have the original and one copy signed by Mr. Hyde and Mrs. Alden, have the verification below the Village's signature signed and the jurat below and to the left of the verification completed. Please return the original and one copy to me. The other copy enclosed herewith is for your file.

This yet leaves the West 37.89 feet of Motor Street, vacated over which to obtain utility and drainage easements. I presume you will also want that portion of the street made subject to easements. It will require some digging to find out the name of the present owner since the present owner of that tract, as shown by the Certificate of Title, is also a dissolved corporation.

If you have any questions, please advise.

Very truly yours,

Thomas S. Erickson

TSE:ca
Enclosures

NOTICE OF ADVERSE CLAIM

(Section 503.70 Minnesota Statutes)

MINNEAPOLIS, NORTHFIELD and SOUTHERN RAILWAY, a South Dakota corporation, has given to the Village of Edina, a Minnesota municipal corporation, an easement for utility and drainage purposes in and over the following described property situate in the County of Hennepin and State of Minnesota, to-wit:

That part of Motor Street, vacated, as shown on the plat of "Brookside Terrace", lying South of the old Minneapolis and St. Paul Suburban Railroad Company right-of-way and between the East and West right-of-way lines of the Minneapolis, Northfield and Southern Railway's right-of-way, in Section 28, Township 117 North, Range 21 West, said portion of Motor Street, vacated, being 111 feet long and 40 feet wide, except that part of said Motor Street, vacated, lying West of a line drawn parallel with and 37.89 feet East of the original West line of Lot 27, "Brookside Terrace", extended Northerly across said Motor Street, vacated.

The registered owner of the property over which said easement is given is Minneapolis, St. Paul, Rochester and Dubuque Electric Traction Company, a corporation. The ownership of the property over which the easement is given is by virtue of ownership of the platted lot immediately to the South of and adjoining said vacated Motor Street.

The grantor of said easement is the successor in interest to the property described in the Certificate of Title hereinafter referred to but has not filed and will not now file for registration evidence of its ownership.

The easement given to the Village of Edina grants to the Village of Edina an interest in the property above described adverse to said registered owner.

An executed copy of the aforementioned easement is attached hereto and made a part hereof.

The registered owner of the above described property is, as stated, Minneapolis, St. Paul, Rochester and Dubuque Electric Traction Company, a corporation, as evidenced by Certificate of Title No. 11192 in Volume 35, Page 11192.

The address of the Village of Edina is 4801 West 50th Street, Edina 24, Minnesota, and any notice or notices to be served upon it under this Notice of Adverse Claim may be served upon it at such address.

VILLAGE OF EDINA

By

Warren C. Hyde
Village Manager

And

Gretchen S. Alden
Village Clerk

VERIFICATION

WARREN C. HYDE, Village Manager of the Village of Edina and GRETCHEN S. ALDEN, Village Clerk of the Village of Edina have read the foregoing Notice of Adverse Claim, and know the contents thereof and herein state the same is true and correct to their best information and belief.

Warren C. Hyde
Warren C. Hyde

Gretchen S. Alden
Gretchen S. Alden

Subscribed and sworn to, before me, a Notary Public in and for Hennepin County, Minnesota, this 16th day of October, 1964.

J. W. Dalen

J. W. DALEN
Notary Public, Hennepin County, Minn.
My Commission Expires July 24, 1970.
(Notarial Seal)

EASEMENT

THIS INSTRUMENT, Made this 23rd day of September, 1964, by and between MINNEAPOLIS, NORTHFIELD and SOUTHERN RAILWAY South Dakota a corporation under the laws of the State of ~~MINNESOTA~~, party 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 party 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:

That part of Motor Street, vacated, as shown on the plat of "Brookside Terrace", lying South of the old Minneapolis and St. Paul Suburban Railroad Company right-of-way and between the East and West right-of-way lines of the Minneapolis, Northfield and Southern Railway's right-of-way, in Section 28, Township 117, North Range 21 West, said portion of Motor Street, vacated, being 111 feet long and 40 feet wide, except that part of said Motor Street, vacated, lying West of a line drawn parallel with and 37.89 feet East of the original West line of Lot 27, "Brookside Terrace", extended Northerly across said Motor Street, vacated.

This instrument is exempt from state deed tax.

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.

IN TESTIMONY WHEREOF, The said first party has caused these presents to be executed in its corporate name by its Exec.Vice-President and its Secretary and its corporate seal to be hereunto affixed the day and year first above written.

MINNEAPOLIS, NORTHFIELD and SOUTHERN RAILWAY

In Presence of:

By I. W. McPherson

Its Exec.V. President

D. J. Boyer
L. K. Anderson

D. J. Boyer
Its Secretary

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this 23rd day of September, 19 64, before me, a Notary Public, within and for said County, personally appeared I. W. McPherson and D. J. Boyer, to me personally known, who, being each by me duly sworn, did say that they are respectively the Exec.V. President and the Secretary of the corporation named in the foregoing instrument and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said I. W. McPherson and D. J. Boyer acknowledged said instrument to be the free act and deed of said corporation.

(Notarial Seal)

Robert A. Nelson

ROBERT A. NELSON
Notary Public, Hennepin County, Minn.
My Commission Expires Mar. 13, 1967.

From the



of Gretchen Alden

9/14/04

NOTE: According to Ownership check made today, Amtrak Railroad Company owns Vacated Motor Street under the following description:

"0.111 Ft. of Lots 27 to 35 incl.,
(Brookside Terrace) incl. en. st. but
incl. Adj. 3 Ft. of Main Ave. Vac. and
the Adj. Part of Short St. Vac.;
Lots 27 to 35 also incl. Adj. Part of
Motor St. Vac.

Parcel 7602

Plat 74240 (Brookside Terrace)

Note - Vacations of Postman of Motor St. Approved 5/1/56
AFFIDAVIT OF PUBLICATION

7-B

Edina-Morningside Courier

Edina, 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 herein-stated has been JOHN E. TILTON, the publisher and printer of the newspaper known 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 Village of Edina - Notice of Public Hearings On Petitions for Street Vacations, May 14, 1956

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 columns 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 entirely 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 publication; 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 qualification 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.

That the printed Notice of Public Hearings

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 two successive weeks; that it was first so published on the 26th day of April, 1956 and thereafter on Thursday of each week to and including the 3rd day of May, 1956; 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 publication of said Notice of Public Hearings
abcdefghijklmnopqrstuvwxy

John E. Tilton
Publisher.

Subscribed and sworn to before me this 3rd day of May, 1956

Margaret E. Blomberg
Margaret E. Blomberg, Notary Public, Hennepin County, Minn.

My commission expires June 15, 1962

(Official Publication)
VILLAGE OF EDINA
4801 West 50th St.
Minneapolis 24, Minn.
NOTICE OF PUBLIC HEARINGS ON
PETITIONS FOR STREET VACATIONS
NOTICE IS HEREBY GIVEN that the Edina Village Council will meet at the Village Hall, 4801 W. 50th Street, on Monday, May 14, 1956, at 7:30 p.m., and will at said time and place consider the following petitions for the Vacation of Streets:
1. The Petition of Mr. Gunnar Johnson for the Vacation of that portion of Annaway Drive as platted in Rolling Green Section Two described as follows:
"Beginning at a point on the west line of Annaway Drive, as platted in Rolling Green Section Two, a distance of ninety one and fifty one-hundredths feet (91.50 feet) north of the southeast corner of Lot 45, Rolling Green Section Two, thence on a curve to the right with a radius of one hundred and twenty-five feet (125 feet) to its intersection with the east line of said Annaway Drive; thence north along said east line of said Annaway Drive to the north line of the plat of Rolling Green Section Two; thence west fifty feet (50 feet) along the northerly line of said plat to the west line of Annaway Drive; thence south along said west line of Annaway Drive to the point of beginning."
2. The Petition of Minneapolis, Northfield and Southern Railway Company for the Vacation of Motor Street, as platted, lying South of the old Minneapolis and St. Paul Suburban Railway Right-of-Way and between the East and West Right-of-Way lines of the Minneapolis, Northfield and Southern Railway Company Right-of-Way; said portion of Motor Street being One Hundred and Eleven feet (111 feet) long and forty feet (40 feet) wide.
All objections and recommendations will be heard at said meeting.
BY ORDER OF THE EDINA VILLAGE COUNCIL,
GRETCHEN S. ALDEN
Village Clerk
Dated this 20th day of April, 1956.
(April 26, May 3)—EG

Tupa offered the following Resolution and moved its adoption:

RESOLUTION VACATING STREET
PORTION OF MOTOR STREET

WHEREAS, petition of a majority of the owners of real property abutting that portion of MOTOR STREET, as platted, lying south of the old Minneapolis and St. Paul Suburban Railway Right-of-Way and between the East and West Right-of-Way lines of the Minneapolis, Northfield and Southern Railway Company Right-of-Way, in Section 20, Township 117 North, Range 21 West; said portion of Motor Street being One Hundred and Eleven feet (111 feet) long and forty feet (40 feet) wide, has been duly filed with the Village Council for the Vacation of said portion of Motor Street; and said Council has met at the time and place specified in a notice duly published and posted and has heard all interested persons, and it appears in the interest of the public that said street be vacated, now therefore:

BE IT RESOLVED by the Village Council of the Village of Edina that that portion of MOTOR STREET hereinbefore described, be and is hereby vacated.

Motion for adoption of the Resolution was seconded by Frank, and on Rollcall there were five ayes and no nays, as follows: Brodeson, aye; Crinkley, aye; Frank, aye; Tupa, aye; and Erickson, aye; and the Resolution was adopted.

ATTEST:

(Signed) GRETCHEN S. ALDEN
Village Clerk

(Signed) REUBEN F. ERICKSON
Mayor

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

I, the undersigned, being the duly qualified and acting Village Clerk of the Village of Edina, Minnesota, do hereby certify that I have compared the attached and foregoing RESOLUTION VACATING STREET with the original minutes of the Regular Meeting of the Edina Village Council of May 14, 1956, on file and of record in my office, that the same is a full, true and correct copy of a Resolution adopted by said Village Council at said May 14 regular meeting.

WITNESS my hand and seal of said Village this 15th day of May, 1956.

Gretchen S. Alden
Village Clerk
VILLAGE OF EDINA
HENNEPIN COUNTY, MINNESOTA

May 15, 1956

Mr. Duane Joseph
Dorsey, Owen, Barkor, Scott & Barbor
First National-See Line Bldg.
Minneapolis, Minnesota

Dear Sir: Re: Resolution Vacating Portion of
Motor Street

We are enclosing two certified copies of the above resolution,
which was adopted by our Village Council at its meeting of May 14.

We will appreciate your putting this on record at the earliest
possible date.

Thank you.

Yours very truly,

VILLAGE OF EDINA

BY

Village Clerk

CCA

VILLAGE OF EDINA
4801 West 50th St.
Minneapolis 24, Minn.

NOTICE OF PUBLIC HEARINGS ON PETITIONS FOR
STREET VACATIONS

NOTICE IS HEREBY GIVEN that the Edina Village Council will meet at the Village Hall, 4801 W. 50th Street, on Monday, May 14, 1956, at 7:30 P.M., and will at said time and place consider the following Petitions for the Vacation of Streets:

1. The Petition of Mr. Gumar Johnson for the Vacation of that portion of Annaway Drive as platted in Rolling Green Section Two described as follows:

"Beginning at a point on the west line of Annaway Drive, as platted in Rolling Green Section Two, a distance of ninety one and fifty one-hundredths feet (91.50 feet) north of the southeast corner of Lot 45, Rolling Green Section Two, thence on a curve to the right with a radius of one hundred and twenty-five feet (125 feet) to its intersection with the east line of said Annaway Drive; thence north along said east line of said Annaway Drive to the north line of the plat of Rolling Green Section Two; thence west fifty feet (50 feet) along the northerly line of said plat to the west line of Annaway Drive; thence south along said west line of Annaway Drive to the point of beginning."

2. The Petition of Minneapolis, Northfield and Southern Railway Company for the Vacation of Motor Street, as platted, lying South of the old Minneapolis and St. Paul Suburban Railway Right-of-Way and between the East and West Right-of-Way lines of the Minneapolis, Northfield and Southern Railway Company Right-of-Way; said portion of Motor Street being One Hundred and Eleven feet (111 feet) long and forty feet (40 feet) wide.

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Dated this 20th day of
April, 1956.

GRETCHEN S. ALDEN
Village Clerk

I, the undersigned, Police Patrolman for the Village of Edina, do hereby certify that I have posted copies of the above "Notice of Public Hearings" on Official Village Bulletin Boards at

1. W. 50th St. and Indianola Ave.
2. Brookside Grocery, Brookside Ave. and Interlachen Rd.
3. 44th & Wooddale.

Dated April 23 8:30 P.M., 1956

Officer Robert B. Christy

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this,
the 23rd day of April, 1956.

Gretchen S. Alden
My Commission Expires January 12, 1960

5/14/56

MINUTES OF THE REGULAR MEETING OF THE EDINA VILLAGE COUNCIL, HELD MONDAY, MAY 14, 1956, AT 7:30 P.M., AT THE EDINA VILLAGE HALL

INVOCATION was given by Rev. Harold Schweigert of St. Peters Lutheran Church.

Members answering Rollcall were Bredesen, Crinkley, Fronk, Tupa and Erickson. Mayor Erickson was excused during the meeting, as recorded below, and Mayor Pro Tem Bredesen presided thereafter.

Minutes of the Regular Meeting of April 23rd were approved as submitted, by Motion Fronk, seconded by Tupa and carried.

PUBLIC HEARINGS ON PETITIONS FOR STREET VACATIONS: Clerk presented Affidavits of Publication in Edina-Morningside Courier April 26 and May 3, and of Posting on Official Bulletin Boards April 23, of "Notice of Public Hearings on Petitions for Street Vacations," which notice was approved as to form and ordered placed on file. Pursuant to said notice, the following Public Hearings were held and action taken:

- 1. PUBLIC HEARING ON PETITION OF MR. GUNNAR JOHNSON FOR VACATION OF PORTION OF ANNAWAY DRIVE. Plat was presented, showing portion of Annaway Drive cited for Vacation. Mayor Erickson asked for objections and recommendations, and Mr. Johnson spoke in behalf of his petition. There were no objections filed, either oral or written, and Bredesen offered the following Resolution and moved its adoption:

RESOLUTION VACATING STREET
PORTION OF ANNAWAY DRIVE

WHEREAS, petition of a majority of the owners of real property abutting that portion of ANNAWAY DRIVE as platted in Rolling Green Section Two, described as follows:

"Beginning at a point on the west line of Annaway Drive, as platted in Rolling Green Section Two, a distance of ninety one and fifty one-hundredths foot (91.50 feet) north of the southeast corner of Lot 45, Rolling Green Section Two, thence on a curve to the right with a radius of one hundred and twenty five feet (125 feet) to its intersection with the east line of said Annaway Drive; thence north along said east line of said Annaway Drive to the north line of the plat of Rolling Green Section Two; thence West fifty feet (50 feet) along the northerly line of said plat to the west line of Annaway Drive; thence South along said west line of Annaway Drive to the point of beginning,"

has been duly filed with the Village Council for the Vacation of said portion of ANNAWAY DRIVE; and said Council has met at the time and place specified in a notice duly published and posted and has heard all interested persons, and it appears in the interest of the public that said street be vacated, now therefore:

BE IT RESOLVED by the Village Council of the Village of Edina that that portion of ANNAWAY DRIVE hereinbefore described, be and is hereby vacated.

Motion for adoption of the Resolution was seconded by Fronk, and on Rollcall there were five ayes and no nays, as follows: Bredesen, aye; Crinkley, aye; Fronk, aye; Tupa, aye; and Erickson, aye; and the Resolution was adopted.

ATTEST:
Justin S. Alden
Village Clerk

Erickson
Mayor

- 2. PUBLIC HEARING ON PETITION OF MINNEAPOLIS, NORTHFIELD AND SOUTHERN RAILWAY COMPANY FOR VACATION OF PORTION OF MOTOR STREET; this request being in connection with their plans for general improvements in this area. Mayor Erickson called for recommendations and objections, and Mr. McPherson of MN&S filed the written assent of three neighboring property owners. No objections were filed, either oral or written; and Tupa offered the following Resolution and moved its adoption:

RESOLUTION VACATING STREET
PORTION OF MOTOR STREET

WHEREAS, petition of a majority of the owners of real property abutting that portion of MOTOR STREET, as platted in "Brookside Terrace", lying south of the old Minneapolis and St. Paul Suburban Railway Right-of-Way and between the East and West Right-of-Way lines of the Minneapolis, Northfield and Southern Railway Company Right-of-Way, in Section 28, Township 117 North, Range 21 West; said portion of Motor Street being One Hundred and Eleven Feet (111 feet) long and forty feet (40 feet) wide, has been filed with the Village Council for the Vacation of said portion of Motor Street; and said Council has met at the time

1A109

5/14/56

and place specified in a notice duly published and posted and has heard all interested persons, and it appears in the interest of the public that said street be vacated, now therefore:

BE IT RESOLVED by the Village Council of the Village of Edina that said portion of MOTOR STREET hereinbefore described, be and is hereby vacated.

Motion for adoption of the Resolution was seconded by Frank, and on Rollcall there were five ayes and no nays, as follows: Brodesen, aye; Crinkley, aye; Frank, aye; Tupa, aye; and Erickson, aye; and the Resolution was adopted.

ATTEST:

Walter S. Alden
Village Clerk

Charles Erickson
Mayor

PUBLIC HEARINGS ON PROPOSED IMPROVEMENTS: Clerk presented Affidavit of Publication in Edina-Morningside Courier May 3 and 10, 1956, of "Notice of Hearings, Proposed Improvements-Sanitary Sewers and Watermains," which affidavit was approved and to form and ordered placed on file. Pursuant to said Notice, the following Public Hearings were conducted and action taken:

1. **PUBLIC HEARING ON PROPOSED SANITARY LATERAL SEWER IN BROOKVIEW AVENUE**
FROM WABER AND HAZEN STREETS TO EAST SIDE OF BROOKVIEW AVENUE. Engineer's Estimate of Cost was given as \$4,400.27 as against 777.93 Feet Assessable on the East side of this block, making a cost of \$7.62 per Assessable Foot. He explained, though, that the properties on the West side of the street have had connections to Trunk Sewer #69, at \$4.00 per front foot; that Attorney Windhorst has stated that funds from Sewer #69 Improvement may be transferred to this improvement to help defray the high cost—if the Council so rules. Council seemed to be in general informal agreement that the East side of street should not be required to pay the entire cost. There were no objections to the improvement, either oral or written (See Resolution of later in Meeting, Approving).

2. **PUBLIC HEARING ON PROPOSED SANITARY LATERAL SEWER IN BENTON AVENUE FROM**
FROM 100 FT. SOUTH OF WABER ST. TO 100 FT. SOUTH OF HAZEN ST. Engineer's Estimate of Cost was \$22.72 as against 287.72 Assessable Feet, for \$2.93 per Assessable Foot. There were no objections registered, either oral or written. (See Resolution of later in Meeting, Approving).

3. **PUBLIC HEARING ON PROPOSED SANITARY LATERAL SEWER IN HIGHLAND ROAD**
FROM WESTRIDGE BLVD. TO WABER ST. Engineer's Estimate of Cost was given as \$10,649.62 as against 1,426.30 Assessable Feet, for \$7.50 per Assessable Foot. Petition in opposition to construction on the East side of the street was filed by six property owners, who stated they did not want sewer at the present time, but that they do wish to block it for the area at the West end of the street. Engineer Zilka stated the sewer could be constructed in that portion of the street petitioned for, and it was the general agreement of the Council that construction should be from Westridge Blvd. to include Lot 9, Block 6 and Lot 12, Block 7, Countryside Addition. (See Resolution of later in Meeting, Approving).

4. **PUBLIC HEARING ON PROPOSED SANITARY LATERAL SEWER TO SERVE 5608 TO 5316**
FROM WABER ST. TO HAZEN ST. Engineer's Estimate of Cost was given as \$1,760.78 as against 328.00 Assessable Feet, for \$5.37 per Assessable Foot. There were no objections filed, either oral or written. (See Resolution of later in Meeting, Approving).

5. **PUBLIC HEARING ON PROPOSED SANITARY SEWER IN GLENVIEW PARKWAY**
FROM 100 FT. SOUTH OF HAZEN ST. TO 100 FT. SOUTH OF WABER ST. Engineer's Estimate of Cost was given as \$7,606.22 as against 1,922.27 Assessable Feet, for \$3.96 per Assessable Foot. There were no objections, either oral or written. (See Resolution of later in Meeting, Approving).

6. **PUBLIC HEARING ON PROPOSED SANITARY LATERAL SEWER IN HAZEN AVENUE**
FROM 100 FT. SOUTH OF HAZEN ST. TO 10 FT. SOUTH OF HALCIEY AVE. TO HALCIEY AVE. FROM HAZEN AVENUE TO 90 FT. SOUTH OF HALCIEY AVE. Engineer Zilka's Estimate of Cost was given as \$1,935.90 as against 221.00 Assessable Feet, for \$8.76 per Assessable Foot. There were no objections filed from the floor, and none had been filed prior to the meeting. (See Resolution of later in Meeting, Approving).

le/17

Mail to: Mr. Roy Anderson
Right-of-Way Agent
Northern States Power Company
Chestnut Service Center
1518 Chestnut Avenue No.
Minneapolis Minnesota 55403

Mr. Warner P. Blake
Chief Engineer
Minneapolis Gas Company
739 Marquette Avenue
Minneapolis

2

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

27

Dear Mr. :

On June 7, 1965, the Edina Village Council vacated that portion of Motor
S
Street beginning at the west line of Lot 2, Block 4, Arden Park III Addition
and extending wasterly to the west bank of Minnehaha Creek.

We neglected to send you notice of the hearing on this vacation. However,
the vacation was made effective July 5, 1965, in order to allow adequate
time for ~~recommen~~ your firm to secure any needed easements.

Yours truly,

George A. Langmack
Administrative Assistant

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 55402

June 18, 1965

George A. Langmack, Adm. Asst.
Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

Dear Mr. Langmack:

This is to acknowledge receipt of notice of the proposed vacation of that portion of Motor Street from the West line of Lot 2, Block 4, Arden Park 3rd Addition and extending easterly to the West bank of Minnehaha Creek.

Please be advised that we have no facilities in that portion of Motor Street proposed to be vacated.

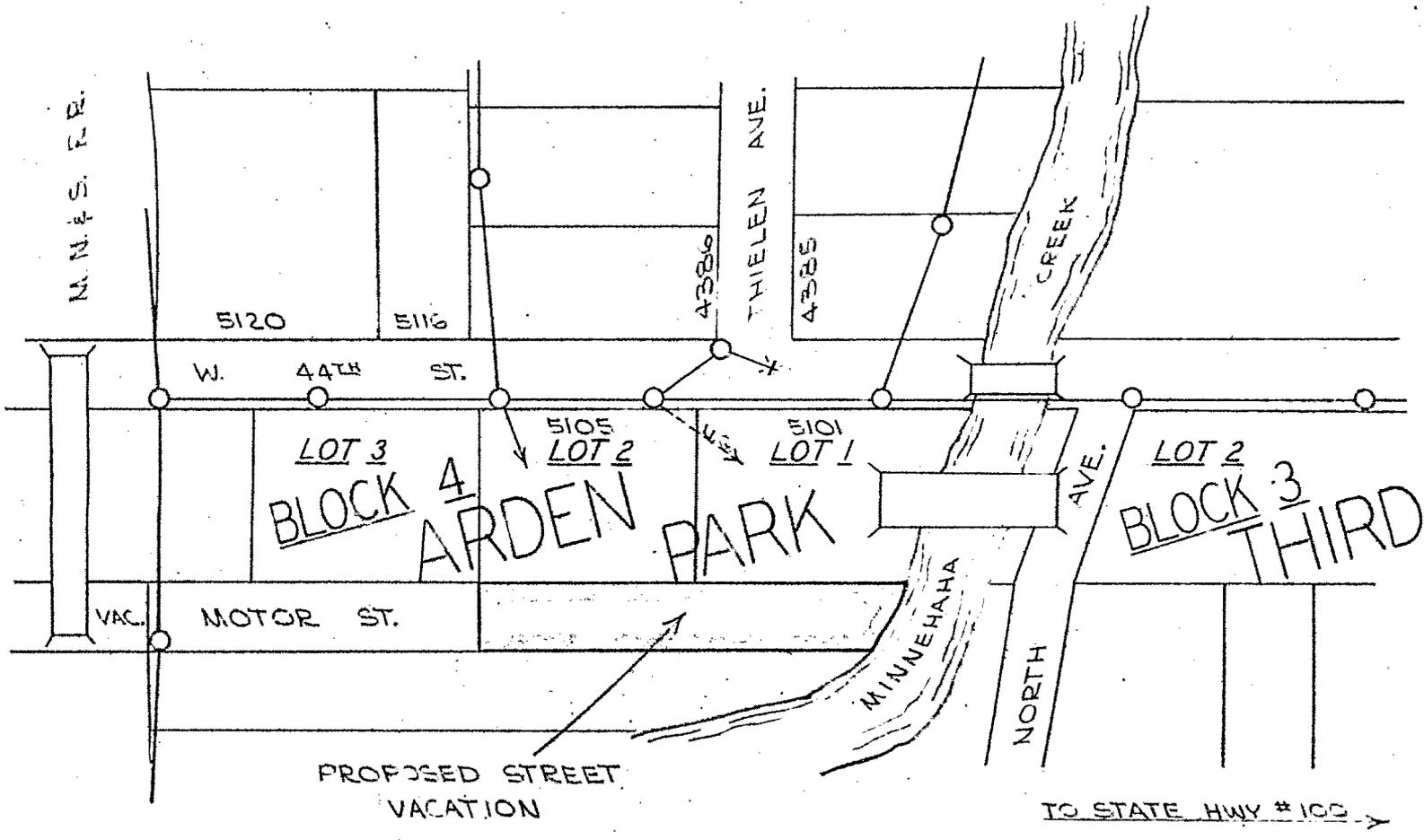
Thank you for your kind consideration in this matter.

Yours truly,

T.S. Jepson
Electric Distribution Superintendent
Minneapolis Division

By 
Roy H. Anderson
Senior Right of Way Agent

TSJ
JCP
RHA:sh



SEC. 28 T. 117 R. 21 VILLAGE OF EDINA HENN. CO.

LEGEND					
	POLES NOP TOL	WIRE	ANCHOR	OVERHEAD GUY	STREET LIGHT
NEW	○ ○	—	→	↗	✱
EXISTING	○ ⊗	—	→	↖	✱
TO BE REMOVED	○ ⊗	✱✱	✱→	✱↖	✱✱

NORTHERN STATES POWER CO.
 ELECTRIC DISTRIBUTION DEPARTMENT
 MINNEAPOLIS DIVISION

TITLE PROPOSED STREET VACATION
VILLAGE OF EDINA

SCALE 1" = 100' DR. BY DAG
 DATE 05-21-65 CHK. BY DAI

APPROVED BY [Signature]

DRAWING NO. A-0076

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 hearing

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 publica-
tion; 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 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 ... 27th... day of... May... , 19 65... and
thereafter on... Thursday... of each week to and including the ... 3rd...
day of ... June... , 19 65... ; 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 hearing
abcdefghijklmnopqrstuvwxy

John E. Tilton
Publisher

Subscribed and sworn to before me this ... 3rd... day of ... June... , 19 65

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

My Commission Expires December 26, 1966

(Official Publication)
VILLAGE OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424
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, June 7, 1965, at 7:00 p.m.,
to consider the proposed vacation
of the following street, or portion
thereof:
MOTOR STREET between the
east line of Lot 3, Block 4,
Arden Park III Addition and
Minnehaha Creek.
All objections and recommenda-
tions will be heard at said hear-
ing.
BY ORDER OF THE EDINA
VILLAGE COUNCIL.
FLORENCE B. HALLBERG
Village Clerk
(May 27 - June 3, 1965)--
C-2A-10C

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

12 Suburban Square

Hopkins, Minnesota

State of Minnesota }
County of Hennepin } SS.

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thereafter on Thursday of each week to and including the 3rd
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tion of said notice of hearing
abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this 3rd day of June, 19 65

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

My Commission Expires December 26, 1966

(Official Publication)
VILLAGE OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424
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BY ORDER OF THE EDINA
VILLAGE COUNCIL,
FLORENCE B. HALLBERG
Village Clerk
(May 27 - June 3, 1965)-
C-2A-10C

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

CERTIFICATE OF
POSTING NOTICE

I, the undersigned, duly appointed and acting Police Patrolman for the Village of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have, this date, posted copies of the attached and foregoing

Notice of Public Hearing on Proposed Street Vacation
on three official Village Bulletin Boards, as follows: 1. Village Hall, 4801 W. 50th St. 2. W. 56th Street and Kerns Avenue. 3. W. 70th Street and Cahill Road.

DATED May 24, 1965

SIGNED David Hembre #17
Police Patrolman

Signed and sworn to before me, a Notary Public in and for Hennepin County, Minnesota, this, the 24 day of May, 1965.

Lois L. Strupp

LOIS L. STRUPP
Notary Public, Hennepin County, Minn.,
My Commission Expires Sept. 2, 1970.

(OFFICIAL PUBLICATION)
VILLAGE OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON PROPOSED
STREET VACATION

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MOTOR STREET between the east line of Lot 3, Block 4, Arden Park III Addition and Minnehaha Creek.

All objections and recommendations will be heard at said hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

(OFFICIAL PUBLICATION)
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FLORENCE B. HALLBERG
Village Clerk

Please publish in the Edina-Morningside Courier on May 27 and June 3, 1965.
Please send us two (2) Affidavits of Publication.
Please send us ten (10) clippings.

(OFFICIAL PUBLICATION)
VILLAGE OF EDINA
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FLORENCE B. HALLBERG
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(OFFICIAL PUBLICATION)
VILLAGE OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON PROPOSED
STREET VACATION

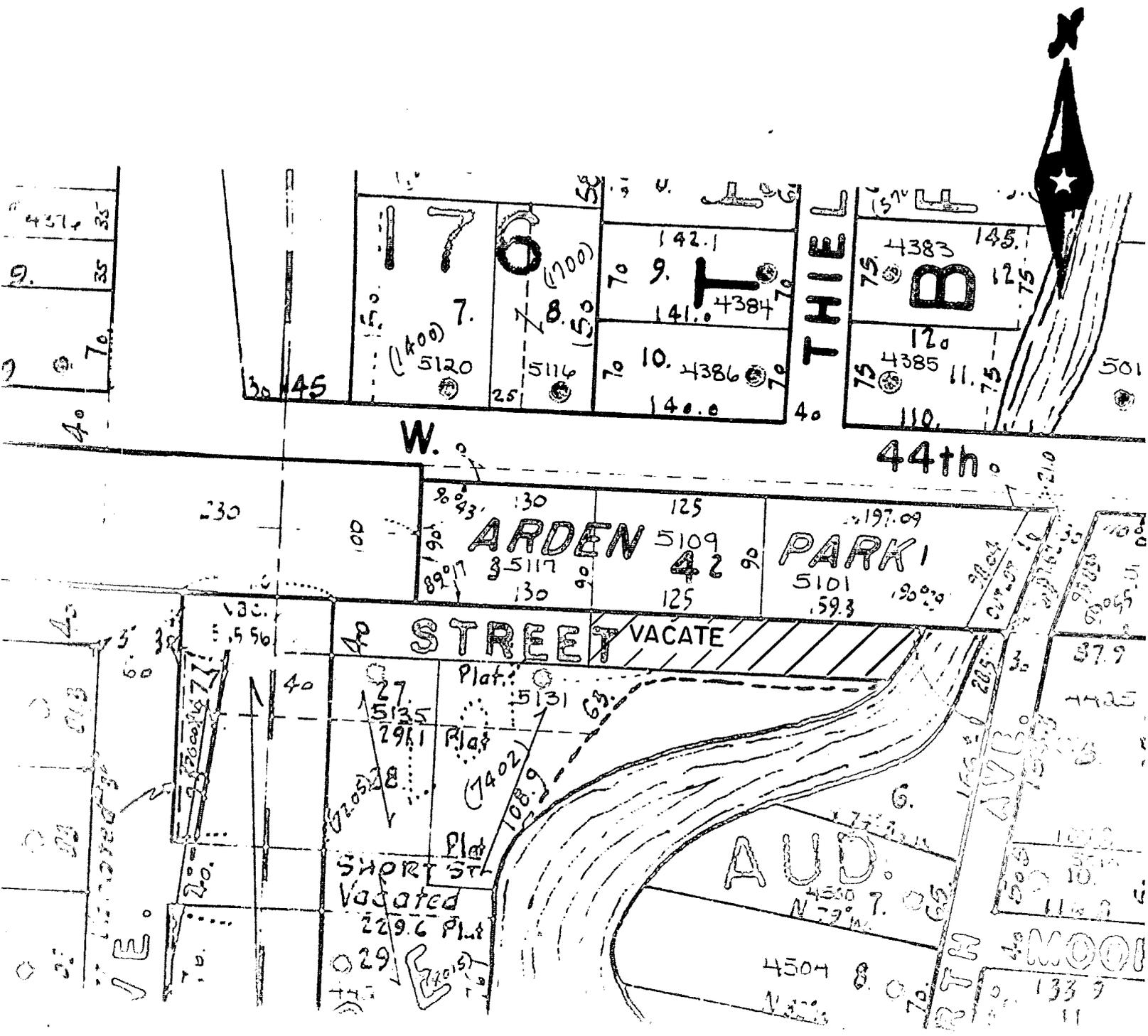
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FLORENCE B. HALLBERG
Village Clerk



PROPOSED STREET VACATION: MOTOR STREET BETWEEN THE EAST LINE OF LOT 3, BLOCK 4, ARDEN PARK III ADD'N. AND MINNEHAHA CREEK.