

5/7/84 DRAINAGE & UTILITY EASEMENT  
VACATION - Lot 5 and Lot 6, Block 1,  
Oak Ridge of Edina



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

May 14, 1984

Thomas S. Erickson, P.A.  
Dorsey and Whitney  
2200 First Bank Place East  
Minneapolis, MN 55402

Re: Drainage & Utility Easement Vacation - Lot 5 & 6, Block 1,  
Oak Ridge of Edina

Dear Tom:

For your records I am enclosing a copy of a letter to Michael Halley regarding the above referenced Drainage and Utility Easement Vacation which was granted by the Council on May 7, 1984, subject to Northwestern Bell receiving payment from Mr. Halley to relocate their plant. The payment has been received by Northwestern Bell and they have signed a release as of May 11, 1984, so that the vacation proceedings could be completed. Fran Hoffman also was advised and he indicated the vacation could now be granted.

Mr. Halley will see to filing the document as he wished to expedite the matter.

Sincerely yours,

A handwritten signature in cursive script that reads 'Marcella M. Daehn'.

Marcella M. Daehn  
City Clerk

encs



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

May 11, 1984

Mr. Michael Halley  
3140 North Harbor Lane, Fox 3  
Suite 103  
Plymouth, MN 55441

Re: Vacation of Drainage and Utility Easement  
Lot 5 and Lot 6, Block 1, Oak Ridge of Edina

Dear Mr. Halley:

Enclosed are two copies of Notice of Completion of Proceedings on the above referenced easement vacation as you requested.

It is my understanding that you will have this document filed with the Register of Deeds and entered in the transfer record of the County Auditor.

Very truly yours,

A handwritten signature in cursive script that reads "Marcella M. Daehn".

Marcella M. Daehn  
City Clerk

cc: Thomas S. Erickson P.A.  
Dorsey and Whitney

PUBLIC HEARING HELD ON DRAINAGE AND UTILITY EASEMENT VACATION FOR LOT 5 AND 6, BLOCK 1, OAK RIDGE; VACATION GRANTED. Affidavits of Notice were presented by Acting Clerk, approved as to form and ordered placed on file. Mr. Hoffman noted that as a result of a lot split, request for drainage and utility easement for Lot 5 and 6, Block 1, Oak Ridge, is presented. He stated staff recommended approval of the vacation subject to Northwestern Bell's facilities being moved and issuance of new utility easements on the new lot line. No objections being heard, Member Schmidt offered the following resolution and moved its adoption:

RESOLUTION VACATING  
DRAINAGE AND UTILITY EASEMENT

WHEREAS, a resolution of the City Council, adopted the 2nd day of April, 1984, fixed a date for a public hearing on a proposed vacation of easement for drainage and utility purposes; and  
 WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 7th day of May, 1984, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and  
 WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and  
 WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;  
 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described drainage and utility easement be and is hereby vacated:

Lot 5 and Lot 6, Block 1, Oak Ridge of Edina

and that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

Motion for adoption of the resolution was seconded by Member Richards.

Rollcall:

Ayes: Bredesen, Richards, Schmidt, Turner, Courtney

Resolution adopted.

PUBLIC HEARING HELD ON STREET VACATION FOR PART OF SUMMIT AVENUE; VACATION GRANTED.

Mr. Hoffman recalled that the public hearing on street vacation for part of Summit Avenue had been continued from the April 16, 1984 meeting. Mr. Hoffman explained that after further review on the proposed vacation of Summit Avenue, staff recommends the following: 1) vacate portion of Summit Avenue right-of-way and a six foot strip per concept approval of the townhouse zoning, and 2) reserve easements for utility companies who have facilities on the right-of-way. He further explained reasons not to vacate the southerly portion of Summit adjacent to the service station is to preserve control of the area, particularly in light of parking restrictions that may need to be imposed. He stated staff recommends requiring the townhouse owners and association to provide routine maintenance of the southerly portion of Summit Avenue and also indemnify the City against claims, making the vacation become effective on the issuance of a building permit for the second phase of the townhouse project and receipt of the agreement. No objections being heard, Member Turner offered the following resolution and moved its adoption:

RESOLUTION VACATING  
PART OF SUMMIT AVENUE

WHEREAS, a resolution of the City Council adopted the 19th day of March, 1984, fixed a date for a public hearing on a proposed vacation of easement for road purposes; and  
 WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 16th day of April, 1984, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and  
 WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and  
 WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;  
 NOW, THEREFORE, BE IT RESOLVED by the City Council of Edina, Hennepin County, Minnesota, that the following described portion of the street be and is hereby vacated:

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

5/11/84  
NORTHWESTERN BELL by *W.E. Davenport*  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

N.S.P. by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

LOCATION DRAINAGE & UTILITY EASEMENT VACATION - LOT 5 AND LOT 6, BLOCK 1,  
OAK RIDGE OF EDINA

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

**D. E. (Dan) Duoos**  
Engineer - Distribution



Northwestern Bell  
6244 Cedar Avenue South  
Richfield, Minnesota 55423  
Phone (612) 869-1592

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

NORTHWESTERN BELL by W.E. Moore  Acceptable  Opposed  Conditional

CONDITIONS UNTIL PAYMENT IS RECEIVED TO RELOCATE PLANT

N.S.P. by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

LOCATION DRAINAGE & UTILITY EASEMENT VACATION - LOT 5 AND LOT 6, BLOCK 1,  
OAK RIDGE OF EDINA

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

RETURN TO;  
CITY CLERK  
CITY OF EDINA  
4801 WEST 50th STREET  
EDINA, MINN. 55424

NOTICE OF COMPLETION OF PROCEEDINGS  
ON VACATION OF EASEMENT FOR DRAINAGE AND UTILITY PURPOSES  
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on May 7, 1984, adopted a Resolution Vacating Easement for Drainage and Utility Purposes, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for drainage and utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

Lot 5 and Lot 6, Block 1, Oak Ridge of Edina

The time of completion of proceedings and the effective date of said vacation is May 11, 1984.

BY ORDER OF THE CITY COUNCIL,  
CITY OF EDINA

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Marcella M. Daehn  
City Clerk

NOTICE OF PUBLIC HEARING  
ON DRAINAGE AND UTILITY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on May 7, 1984, at 7 p.m. for the purpose of holding a public hearing on the proposed vacation of the following drainage and utility easement:

Drainage and utility easement across the easterly 5 feet of Lot 5 and across the westerly 5 feet of Lot 6, all in Block 1, Oak Ridge of Edina.

All persons who desire to be heard with respect to the question of whether or not the above proposed street and easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed vacation of street and park and landscaping easement affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
City Clerk



#75.00

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated MARCH 19, 1984

1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

Street  Alley  Utility Easement

Drainage Easement  Other Drainage & Utility Easement  
(describe) TOTAL 75.00

03/21/84

Description of area proposed to be vacated:

drainage and utility easement across the easterly 5 feet  
of Lot 5 and across the westerly 5 feet of Lot 6; all in  
Block 1, OAK RIDGE OF EDINA

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature MICHAEL HALLEY  
3140 North Harbor Lane, FOX 3  
Address Suite 103, Plymouth MN 55441  
Telephone 559-7300

2) Review

CITY ENGINEER by \_\_\_\_\_  Acceptable  Opposed  Conditional  
Conditions \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_  Acceptable  Opposed  Conditional  
Conditions \_\_\_\_\_

N.W. BELL by \_\_\_\_\_  Acceptable  Opposed  Conditional  
Conditions \_\_\_\_\_

N.S.P. by \_\_\_\_\_  Acceptable  Opposed  Conditional  
Conditions \_\_\_\_\_

10-3800

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

NORTHWESTERN BELL by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

N.S.P. by S. E. Fraser  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

LOCATION DRAINAGE & UTILITY EASEMENT VACATION - LOT 5 AND LOT 6, BLOCK 1,  
OAK RIDGE OF EDINA

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

RETURN TO;  
CITY CLERK  
CITY OF EDINA  
4801 WEST 50th STREET  
EDINA, MINN. 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by *D. J. Schran 4/26/84*  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

NORTHWESTERN BELL by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

N.S.P. by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

LOCATION DRAINAGE & UTILITY EASEMENT VACATION - LOT 5 AND LOT 6, BLOCK 1,  
OAK RIDGE OF EDINA

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

RETURN TO:  
CITY CLERK  
CITY OF EDINA  
4801 WEST 50th STREET  
EDINA, MINN. 55424

NOTICE OF PUBLIC HEARING  
ON DRAINAGE AND UTILITY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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Drainage and utility easement across the easterly 5 feet of Lot 5 and across the westerly 5 feet of Lot 6, all in Block 1, Oak Ridge of Edina.

All persons who desire to be heard with respect to the question of whether or not the above proposed street and easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed vacation of street and park and landscaping easement affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
City Clerk

(Official Publication)

CITY OF EDINA  
4801 W. 50th Street  
Edina, Minnesota 55424

NOTICE OF PUBLIC HEARING  
ON DRAINAGE AND UTILITY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
City Clerk

Please publish in the Edina Sun on April 18 and April 25, 1984.  
Please send two Affidavits of Publication.

NOTICE OF PUBLIC HEARING  
ON DRAINAGE AND UTILITY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
City Clerk

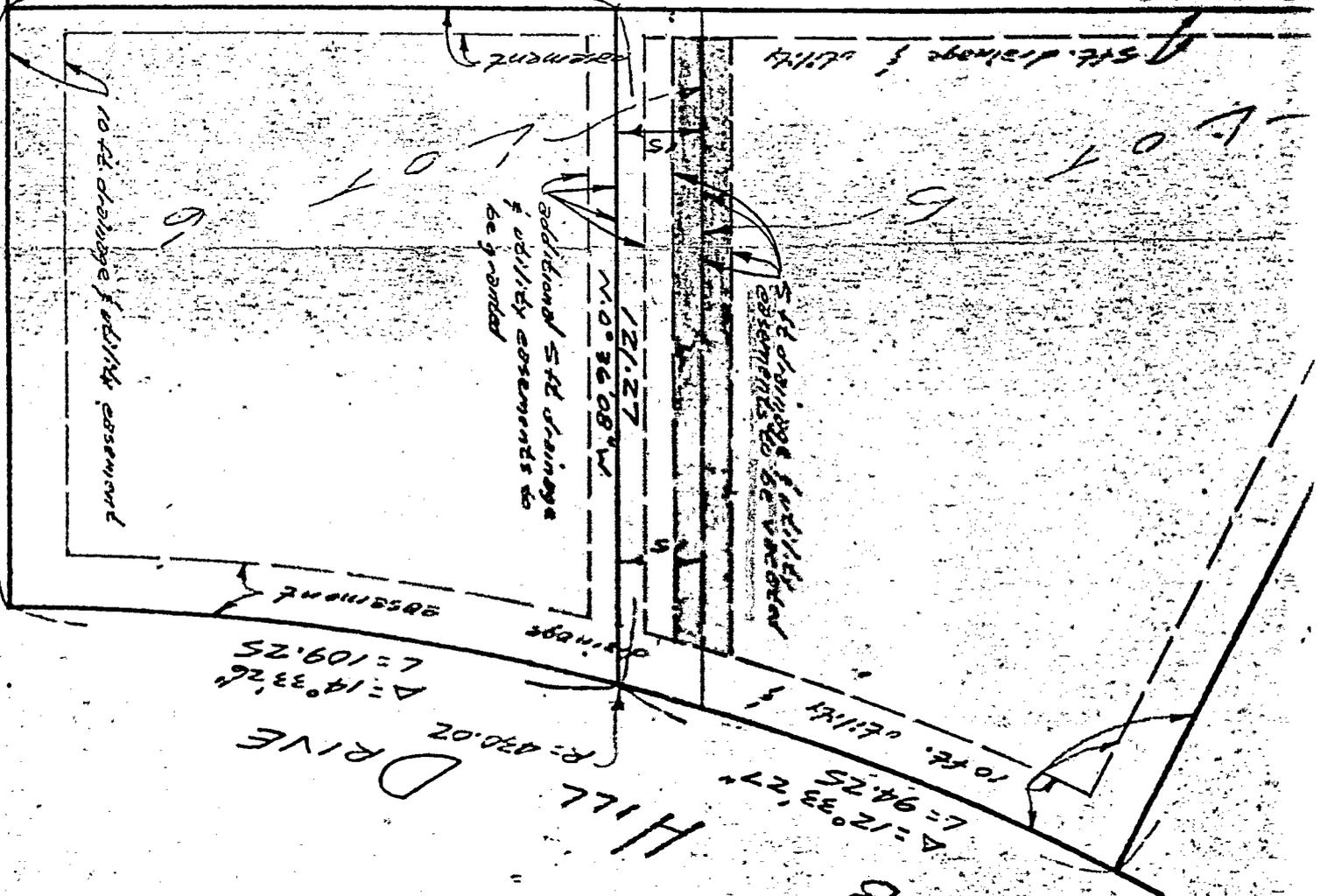
N OF WESTERLY PARCEL:  
at 15 feet of lot 6, Block 1, OAK RIDGE OF EDINA.

DIVISION PLAT FOR: Halley Land Corporation

589°23'52"W

107.00

169.00



SCALE: 1" = 30'

106.50  
N. 0° 05' 18" W.

1/1/74

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

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date April 20, 19 84, acting on behalf of said City I deposited in the United States mail copies of the attached NOTICE OF PUBLIC HEARING ON DRAINAGE AND UTILITY EASEMENT (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>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and seal of said City this 20th day of April, 19 84.

*Maureen M. Dachs*  
Edina City Clerk

NOTICE OF PUBLIC HEARING  
ON DRAINAGE AND UTILITY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
City Clerk

MAILING LIST - DRAINAGE AND UTILITY EASEMENT \_ LOTS 5 AND 6, BLK 1 OAK RIDGE OF EDINA

04-116-21-31-0015      JHK House Fund I Ltd      5132 Danens Drive  
1 Groveland Terrace  
Suite 40  
Minneapolis, 55403

0016      Bernard O'Brien      5128 Danens Drive  
5128 Danens Drive  
Edina, MN 55435

0050(41) Halley Land Corporation      5005 Nob Hill Dr.  
3140 North Harbor Lane #103  
Plymouth, MN 55441

0051(42) Halley Land Corporation      5001 Nob Hill Dr.

0040      Edward B. & Diane L. Curtiss      5009 Nob Hill Dr.  
5007 Arden Avenue  
Edina, MN 55424

Stuart E. Fraser  
Normandale Division  
Northern States Power Co.  
5309 W. 70th St.  
Edina, MN 55435

William Schramm  
Minnegasco  
700 Linden Avenue W.  
Minneapolis, MN 55403

Don Romain  
NW Bell Telephone Co.  
6244 Cedar Ave. So.  
Minneapolis, MN 55423

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

AFFIDAVIT OF POSTING NOTICE OF HEARING ON  
VACATION OF EASEMENT(S) FOR PURPOSES OF  
DRAINAGE AND UTILITY

The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on April 23 24, 1984, he posted the notice of hearing on vacation of easement(s) to be held on May 7, 1984, a true and correct copy of which is hereto attached, at each of the following public and conspicuous places within the City in a manner likely to attract attention:  
1. City Hall, 4801 W. 50th Street 2. 50th & France Business Area, 3922 W. 50th Street 3. Amundson Avenue Shopping Center.

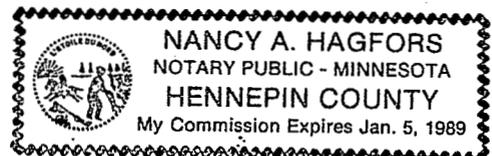
Said easement(s) being described as follows:

Drainage and utility easement across the easterly 5 feet of Lot 5 and across the westerly 5 feet of Lot 6, all in Block 1, Oak Ridge of Edina.

B. J. Doshier #212  
Police Patrolman

Subscribed and sworn to before me,  
this 24 day of April, 1984.

Nancy A. Hagfors  
Notary Public, Hennepin County, Minnesota  
My commission expires: Jan. 5, 1989



NOTICE OF PUBLIC HEARING  
ON DRAINAGE AND UTILITY EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
City Clerk

(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
DRAINAGE AND UTILITY  
EASEMENT IN THE CITY OF  
EDINA

HENNEPIN COUNTY,  
MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on May 7, 1984, at 7 p.m. for the purpose of holding a public hearing on the proposed vacation of the following drainage and utility easement:

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BY ORDER OF THE EDINA CITY COUNCIL.

MARCELLA M. DAEHN  
City Clerk  
(Weeks of April 16 & 23, 1984) -ED

 **SUN**  
**NEWSPAPERS**  
**AFFIDAVIT OF PUBLICATION**  
**EDINA SUN**

7401 Bush Lake Road

Edina, Minnesota

State of Minnesota  
County of Hennepin

D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the vice president and general manager of the newspaper know 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 every 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 advertisement. (4) Said newspaper is circulated in and near the municipalities 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 Edina 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 of said newspaper 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 and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter and affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

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 two successive weeks;

that it was first so published on Wed the 18 day of April, 19 84

and was thereafter printed and published on every Wednesday to and including

Wed the 25 day of April, 19 84 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:

abcdefghijklmnopqrstuvwxyz



Subscribed and sworn to before me this 25 day of April, 19 84



 **MERIDEL M. HEDBLOM**  
NOTARY PUBLIC - MINNESOTA  
HENNEPIN COUNTY  
My commission expires July 2, 1986

(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
DRAINAGE AND UTILITY  
EASEMENT IN THE CITY OF  
EDINA  
HENNEPIN COUNTY,  
MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on May 2, 1984 at 7 p.m. for the purpose of holding a public hearing on the proposed vacation of the following drainage and utility easement:

Drainage and utility easement across the easterly 5 feet of Lot 5 and across the westerly 5 feet of Lot 6, all in Block 1, Oak Ridge of Edina.

All persons who desire to be heard with respect to the question of whether or not the above proposed street and easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed vacation of street and park and landscaping easement affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area of portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

MARCELLA M. DAEHN  
City Clerk

(Weeks of April 16 & 23, 1984) -ED



# SUN NEWSPAPERS

## AFFIDAVIT OF PUBLICATION

# EDINA SUN

7401 Bush Lake Road

Edina, Minnesota

State of Minnesota  
County of Hennepin

D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the vice president and general manager of the newspaper know 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 every 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 advertisement. (4) Said newspaper is circulated in and near the municipalities 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 Edina 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 of said newspaper 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 and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter and affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

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 two successive weeks;

that it was first so published on Wed the 18 day of April, 19 84

and was thereafter printed and published on every Wednesday to and including

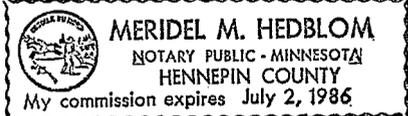
Wed the 25 day of April, 19 84 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

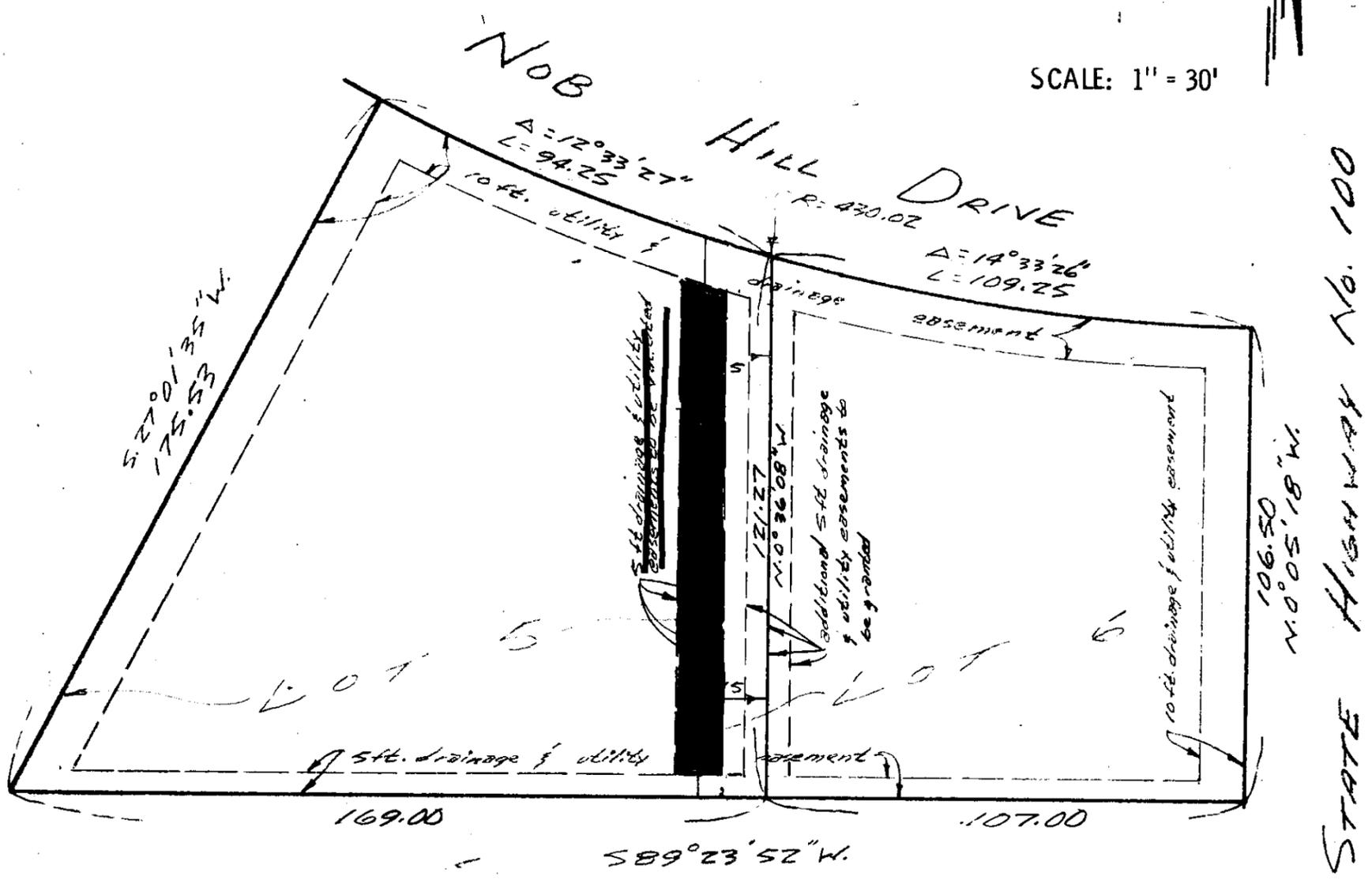
D. K. Mortenson

Subscribed and sworn to before me this 25 day of April, 19 84

Meridel Hedblom







SCALE: 1" = 30'

PROPOSED DIVISION PLAT FOR: Halley Land Corporation

DESCRIPTION OF WESTERLY PARCEL:  
 Lot 5 and the west 15 feet of Lot 6, Block 1, OAK RIDGE OF EDINA.  
 Area is 18,291 square feet.

DESCRIPTION OF EASTERLY PARCEL:  
 Lot 6 except the west 15 feet thereof, Block 1, OAK RIDGE OF EDINA.  
 Area is 11,992 square feet

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Dated this 26th day of August, 1983.  
 Revised this 22nd day of September, 1983.

EGAN, FIELD & NOWAK, INC.  
 Surveyors

by Termon A. Nickels  
 Minnesota Registration No. 9053

NOTE: Bearings shown are assumed.