

6/21/82 UTILITY EASEMENT VACATION
Lots 18 & 19, Bl. 2, Fairfax Addn.

120



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

September 28, 1982

Mr. Curtis Austin
7900 Xerxes Ave. S.
Bloomington, MN 55431

Dear Curt:

Enclosed is a letter which has, I am sorry to say, been on my desk for some time. Three elections in six weeks seem to be too much for this office.

Gordon Hughes has suggested that this be sent to you. Please let me know what I can do further to assist in filing this easement vacation.

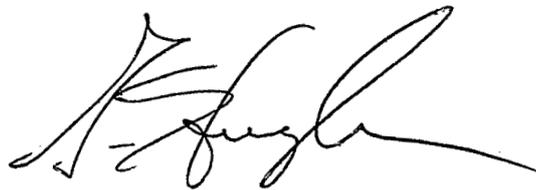
Yours very truly,

A handwritten signature in cursive script, appearing to read 'Florence'.

City Clerk

enclosure

I think this
should be sent
to Curt Austin



7900 X 400

DORSEY & WHITNEY

A Partnership Including Professional Corporations

2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MINNESOTA 55402
(612) 340-2600

TELEX: 29-0605
TELECOPIER: (612) 340-2868

August 9, 1982

880 WEST-FIRST NATIONAL BANK BUILDING
ST. PAUL, MINNESOTA 55101
(612) 227-8017

P. O. BOX 848
340 FIRST NATIONAL BANK BUILDING
ROCHESTER, MINNESOTA 55903
(507) 288-3156

312 FIRST NATIONAL BANK BUILDING
WAYZATA, MINNESOTA 55391
(612) 475-0373

201 DAVIDSON BUILDING
8 THIRD STREET NORTH
GREAT FALLS, MONTANA 59401
(406) 727-3632

SUITE 675 NORTH
1800 M STREET N.W.
WASHINGTON, D. C. 20036
(202) 296-2780

30 RUE LA BOËTIE
75008 PARIS, FRANCE
TEL: (1) 562 32 50

Ms. Florence Hallberg
City of Edina
4801 West 50th Street
Edina, Minnesota 55424

Re: Notice of Completion of Proceedings to Vacate
Easement for Utility Purposes for parts of
Lots in Fairfax Addition

Dear Florence:

On July 12 you sent to us the above Notice of Completion and asked that the document be filed. We attempted to file the document but were unable to do so. We were unable to do so because the City of Edina does not show on the certificates of title as having any interest in the property. The deed creating easement (which, by the way, is in Book 1827, page 602, not 1927, page 602) provides that the "grantor" reserves certain rights. These rights apparently were not assigned to the City, at least not of record.

I suggest that you forward this Notice of Completion of Proceedings to the person that requested the vacation. That person can use this document to bring a proceeding subsequent or whatever other action is necessary to remove the easement from the public records.

If you have any questions, please advise.

Very truly yours,



Thomas S. Erickson

TSE:jd
enclosure



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

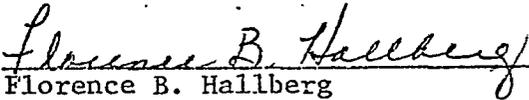
**NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on June 21, 1982, adopted a Resolution Vacating Easement for Utility Purposes, after public hearing and notice hereof 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 utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That portion of an easement created by deed of record in Book of Deeds 1927 page 602 that reads as follows: "Also the same right is reserved in a three foot strip along the side line thereof when necessary to gain access to the 5 foot strip in the rear"; also known as Southerly three feet of Lot 19, Block 2, except Easterly five feet thereof and the Northerly three feet of Lot 18, Block 2, except Easterly five feet thereof, Fairfax Addition.

The time of completion of proceedings and the effective date of said vacation is June 22, 1982.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA



Florence B. Hallberg
City Clerk, City of Edina

Curtis E. Austin
Attorney at Law

Northwestern Financial Center
Suite 960
7900 Kerxes Avenue South
Minneapolis, Minnesota 55431-1184

July 2, 1982

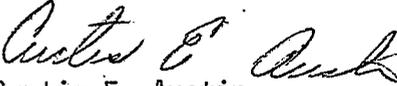
Ms. Florence Hallberg
City Clerk
4801 West 50th Street
Edina, Minnesota 55424

Dear Ms. Hallberg:

Enclosed please find a check in the amount of \$2.00 to obtain a certified copy of the page regarding the petition for vacation of the utility easement which affects 5821 Oaklawn Avenue that was approved at the June 21st meeting of the City Council.

Thank you.

Sincerely,


Curtis E. Austin

CEA:ss

Enclosure



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

July 12, 1982

Mr. Curtis E. Austin
7900 Xerxes Ave. S.
Suite 960
Bloomington, MN 55431

Dear Curt:

As you requested, I enclose herewith a certified copy of the Minutes and the resolution vacating the utility easement for Lots 18 and 19, Block 2, Fairfax Addition.

Yours very truly,

City Clerk

enclosure •



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

CERTIFICATION OF MINUTES RELATING TO
VACATION OF
EASEMENT FOR UTILITY PURPOSES

Regular Meeting of the Edina City Council held June 21, 1982, at 7:00 p.m.
in the Edina City Hall Council Chambers.

Members Present: Bredesen, Richards, Schmidt, Turner, Courtney
Members Absent: None

Documents attached:

- Minutes of Public Hearing on Vacation of Easement for Utility Purposes
- Resolution Vacating Easement for Utility Purposes

I, the undersigned, being the duly qualified and acting Clerk of the City of Edina, certify that the documents attached hereto, as described above, have been carefully compared with the original records in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the City Council of the City of Edina, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the City Council at said meeting, so far as they relate to said easement vacation; and that said meeting was duly held by the City Council at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such City Clerk this 12th day of July, 1982.

Florence B. Hallberg, City Clerk

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

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The time of completion of proceedings and the effective date of said vacation is June 22, 1982.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Florence B. Hallberg
City Clerk, City of Edina

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

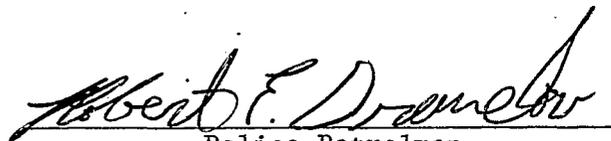
AFFIDAVIT OF POSTING NOTICE OF HEARING ON
VACATION OF EASEMENT(S) FOR PURPOSES OF

Partial Vacation of Utility Easement

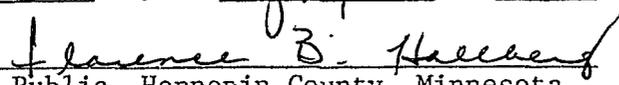
The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on June 3, 1982, he posted the notice of hearing on vacation of easement(s) to be held on June 21, 1982, a true and correct 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:

That portion of an easement created by deed of record in Book of Deeds 1827 page 602 that reads as follows: "Also the same right is reserved in a three foot strip along the side line thereof when necessary to gain access to the 5 foot strip in the rear"; also known as southerly three feet of Lot 19, Block 2, except easterly five feet thereof and the northerly three feet of Lot 18, Block 2, except easterly five feet thereof, Fairfax Add'n


Police Patrolman

Subscribed and sworn to before me,
this 3 day of June, 1982.


Notary Public, Hennepin County, Minnesota
My commission expires:

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

NOTICE OF PUBLIC HEARING
ON PARTIAL VACATION OF EASEMENT FOR UTILITY PURPOSES
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 June 21, 1982, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed partial vacation of the following easement for utility purposes:

That portion of an easement created by deed of record in Book of Deeds 1827 page 602 that reads as follows: "Also the same right is reserved in a three foot strip along the side line thereof when necessary to gain access to the 5 foot strip in the rear"; also known as southerly three feet of Lot 19, Block 2, except easterly five feet thereof and the northerly three feet of Lot 18, Block 2, except easterly five feet thereof, Fairfax Add'n.

All persons who desire to be heard with respect to the question of whether or not the above proposed partial 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 partial easement vacation affects existing easements within the area of the proposed partial 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 partial 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 partial vacation, shall continue.

BY ORDER OF THE CITY COUNCIL,

Marcella M. Daehn
Acting City Clerk

Dated this 26th day of May, 1982.

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 _____

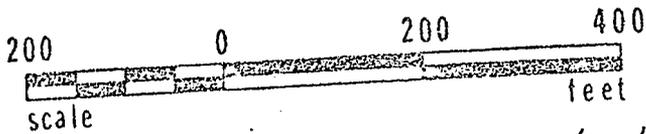
✓ N.S.P. by S.E. Fraser Acceptable Opposed Conditional

CONDITIONS _____

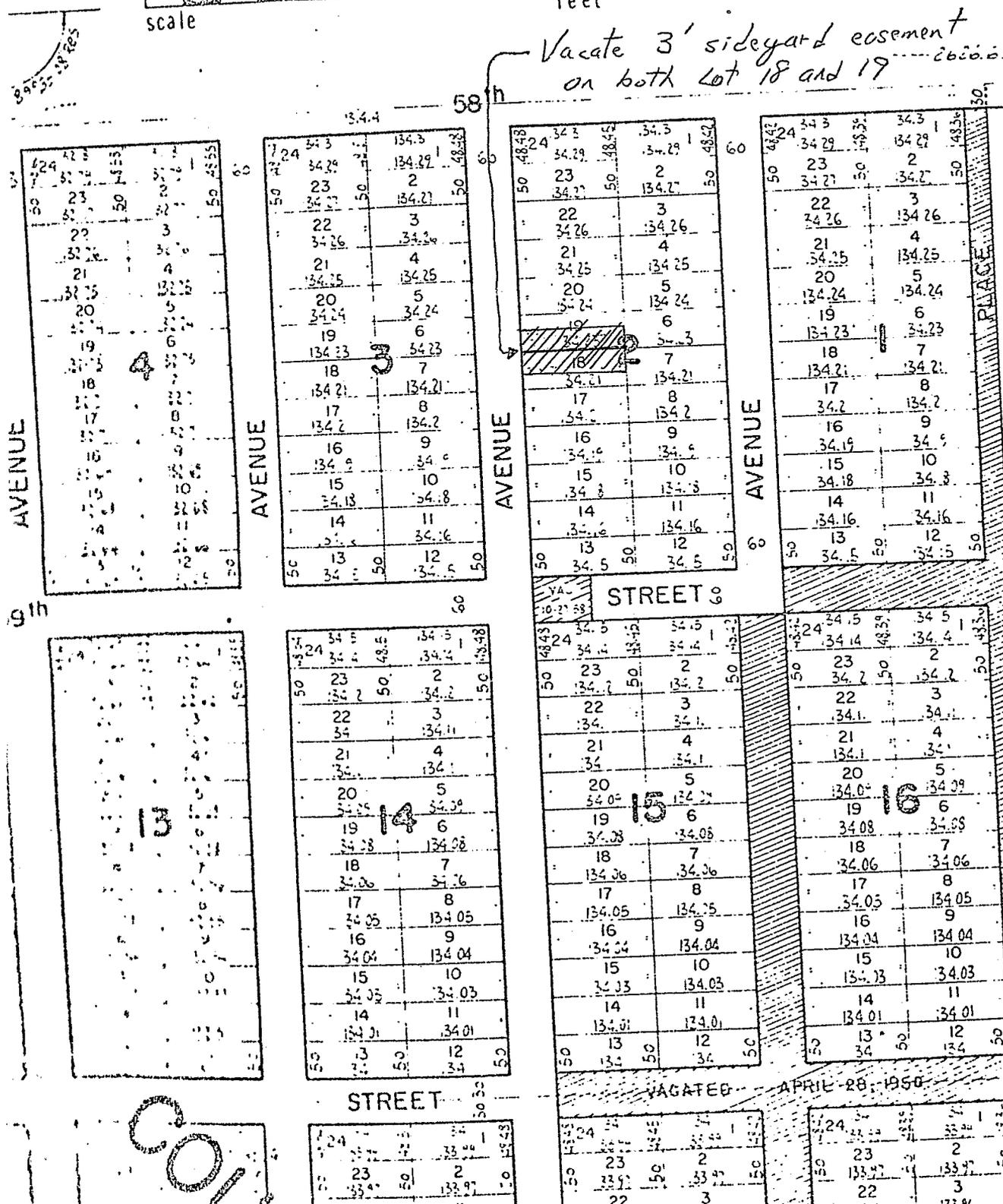
LOCATION See attached legal description on Notice of Public Hearing
Partial vacation of easement, Lots 18 and 19, Block 2, Fairfax Add'n

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

28, R. 24



Vacate 3' sideyard easement
on both Lot 18 and 19



24	42.3	1
23	34.24	2
22	34.26	3
21	34.25	4
20	34.24	5
19	34.23	6
18	34.21	7
17	34.2	8
16	34.19	9
15	34.18	10
14	34.16	11
13	34.15	12

24	34.3	1
23	34.27	2
22	34.26	3
21	34.25	4
20	34.24	5
19	34.23	6
18	34.21	7
17	34.2	8
16	34.19	9
15	34.18	10
14	34.16	11
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19	34.23	6
18	34.21	7
17	34.2	8
16	34.19	9
15	34.18	10
14	34.16	11
13	34.15	12

24	34.5	1
23	34.2	2
22	34.11	3
21	34.1	4
20	34.09	5
19	34.08	6
18	34.06	7
17	34.05	8
16	34.04	9
15	34.03	10
14	34.01	11
13	34	12

24	34.5	1
23	34.2	2
22	34.11	3
21	34.1	4
20	34.09	5
19	34.08	6
18	34.06	7
17	34.05	8
16	34.04	9
15	34.03	10
14	34.01	11
13	34	12

24	34.5	1
23	34.2	2
22	34.1	3
21	34.1	4
20	34.09	5
19	34.08	6
18	34.06	7
17	34.05	8
16	34.04	9
15	34.03	10
14	34.01	11
13	34	12

24	34.5	1
23	34.2	2
22	34.1	3
21	34.1	4
20	34.09	5
19	34.08	6
18	34.06	7
17	34.05	8
16	34.04	9
15	34.03	10
14	34.01	11
13	34	12

30

24	34.5	1
23	34.2	2
22	34.1	3

24	34.5	1
23	34.2	2
22	34.1	3

24	34.5	1
23	34.2	2
22	34.1	3

VACATED APRIL 28, 1950

1. The title to the fee simple estate, at the date hereof, vested in

LASZLO SZENDREY AND HILDEGARD SZENDREY,
husband and wife, as joint tenants.

2. The mortgage and assignments, if any, covered by this policy are described as follows:

Mortgage dated April 30, 1963, filed May 22, 1963, as Document No. 727127, made by Laszlo Szendrey and Hildegard Szendrey, husband and wife, to First Southdale National Bank of Edina (United States of America Corporation) to secure \$15,000.00.

3. The land referred to in this policy is situated in Hennepin County, Minnesota, and is the same land as described in the mortgage shown at No. 2 above, being registered land as is evidenced by Certificate of Title No. 359152.

An inspection of the property discloses that the street address of the premises in question is 5821 Oaklawn Avenue, Edina, Minnesota, and that the buildings are located within the lot lines.

SCHEDULE B

This policy does not insure against loss or damage by reason of the following:

1. Taxes not yet due and payable and special assessments, if any.

2. Utility easements created by deed of record in Book 1827 of Deeds, Page 602, as follows: The grantor, its representatives and assigns, reserve the right to erect electric light and telephone poles and suitable equipment for any other public utility and to lay water mains and gas mains on or in the rear 5 feet of the land hereby conveyed, when there is no alley in the rear of said land. (Also the same right is reserved in a 3-foot strip along the side line thereof when necessary to gain access to the 5-foot strip in the rear.) The right is reserved for the purpose of repair, removal or replacement of wires, cables, poles, mains and other equipment. This easement hereby reserved shall run with the land.

3. Restrictions contained in instrument recorded in Book 1827 of Deeds, Page 602, as Document No. 2590391, and in instrument recorded in Book 1129 of Deeds, Page 474, and in instrument recorded in Book 1827 of Deeds, Page 602, all of which contain no forfeiture provision.

"The following is not a part of Schedule B but a special guarantee included in this policy."

NOTE: The Company by this policy insures that at the date hereof said conditions and restrictions have not been violated, and insures further against any loss or damage, not exceeding the amount of this policy, which the insured may sustain by reason of any now existing violation of any such conditions and restrictions.

TITLE INSURANCE COMPANY OF MINNESOTA

By

[Signature]
Assistant Secretary

*The North 30 feet of Lot 18, and Lot 19 except
the North 20 feet thereof, Block 2, "Fairfax"*

NOTE: No instruments containing restrictive covenants as to race, color or creed have been filed of record subsequent to Feb. 15, 1950.



Northwestern Bell

Minneapolis, Minnesota
June 1, 1982

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

Re: Vacation at 5821 Oaklawn Avenue, Edina, Minnesota

Dear Mrs. Hallberg:

The Northwestern Bell does not have facilities that will conflict with the proposed vacation. Therefore, we have no objection to the vacation.

Yours truly,

D. C. Alto

D. C. Alto
Manager-Distribution Engineering
Northwestern Bell Telephone Company
200 South 5th Street, Room 1304
Minneapolis, Minnesota 55402

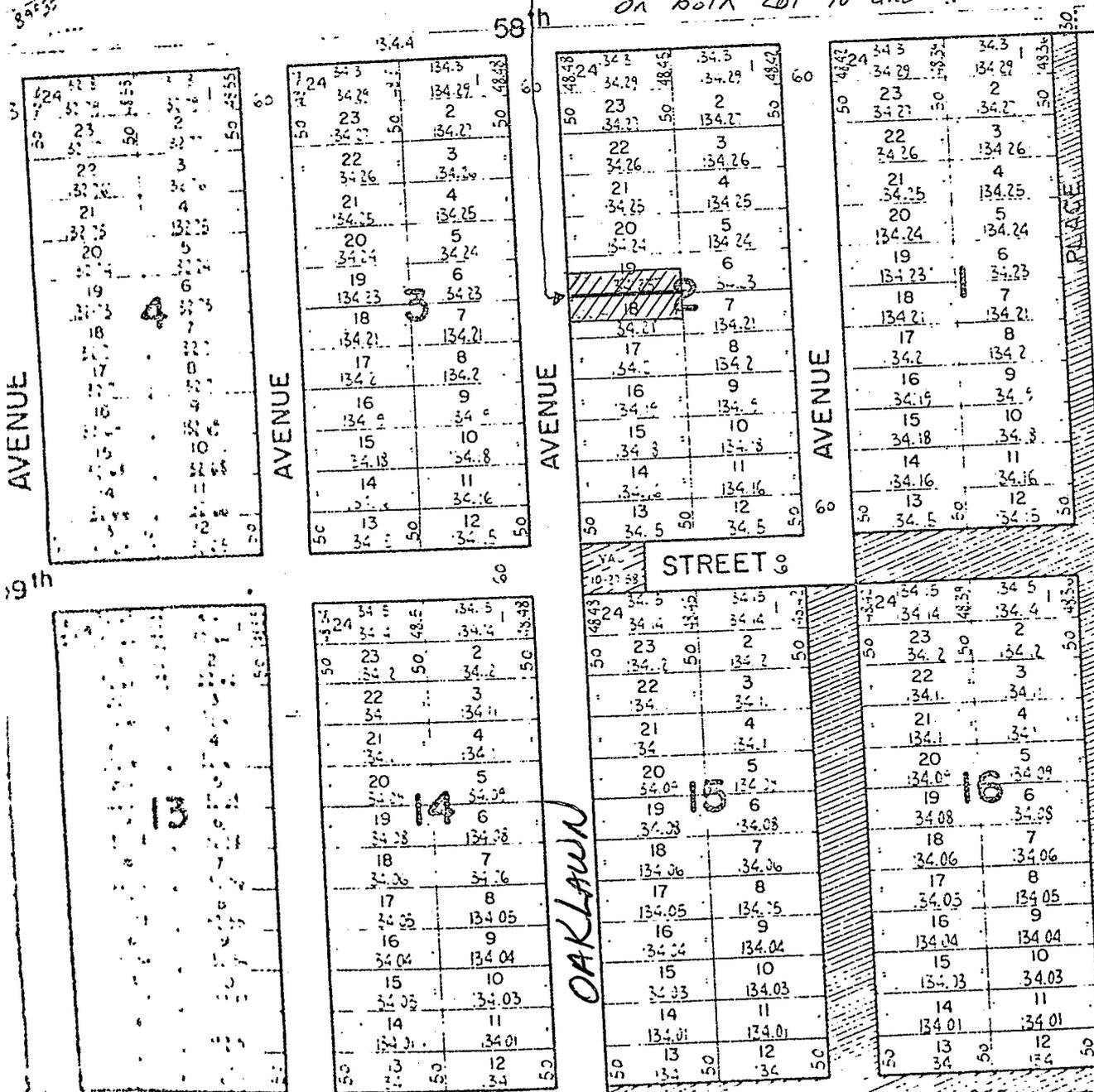
Attachments

28, R. 24



Vacate 3' sideyard easement
on both Lot 18 and 19

84° 55' 30" Res



EDINA,
MN.

VACATED - APRIL 28, 1950



STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ Acceptable Opposed Conditional

CONDITIONS _____

MINNEGASCO by _____ Acceptable Opposed Conditional

CONDITIONS _____

✓ NORTHWESTERN BELL by ⁶⁻¹⁻⁸² *W. Krummel* Acceptable Opposed Conditional

CONDITIONS _____

N.S.P. by _____ Acceptable Opposed Conditional

CONDITIONS _____

LOCATION See attached legal description on Notice of Public Hearing
Partial vacation of easement, Lots 18 and 19, Block 2, Fairfax Add'n

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ Acceptable Opposed Conditional

CONDITIONS _____

MINNEGASCO by *W.D. Brown 6/7/82* Acceptable Opposed Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ Acceptable Opposed Conditional

CONDITIONS _____

N.S.P. by _____ Acceptable Opposed Conditional

CONDITIONS _____

LOCATION As described on attached Notice of Public Hearing
Partial vacation of easement, Lots 18 & 19, Block 2, Fairfax Add'n

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

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

NOTICE OF PUBLIC HEARING
ON PARTIAL VACATION OF EASEMENT FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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That portion of an easement created by deed of record in Book of Deeds 1827 page 602 that reads as follows: "Also the same right is reserved in a three foot strip along the side line thereof when necessary to gain access to the 5 foot strip in the rear"; also known as southerly three feet of Lot 19, Block 2, except easterly five feet thereof and the northerly three feet of Lot 18, Block 2, except easterly five feet thereof, Fairfax Add'n.

All persons who desire to be heard with respect to the question of whether or not the above proposed partial 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 partial easement vacation affects existing easements within the area of the proposed partial 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 partial 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 partial vacation, shall continue.

BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg
City Clerk

Dated this 26th day of May, 1982.

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ Acceptable Opposed Conditional

CONDITIONS _____

✓ MINNEGASCO by *W.D. Drake 5/28/82* Acceptable Opposed Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ Acceptable Opposed Conditional

CONDITIONS _____

N.S.P. by _____ Acceptable Opposed Conditional

CONDITIONS See attached legal description on Notice of Public Hearing
Partial vacation of easement, Lots 18 and 19, Block 2, Fairfax Add'n

LOCATION _____

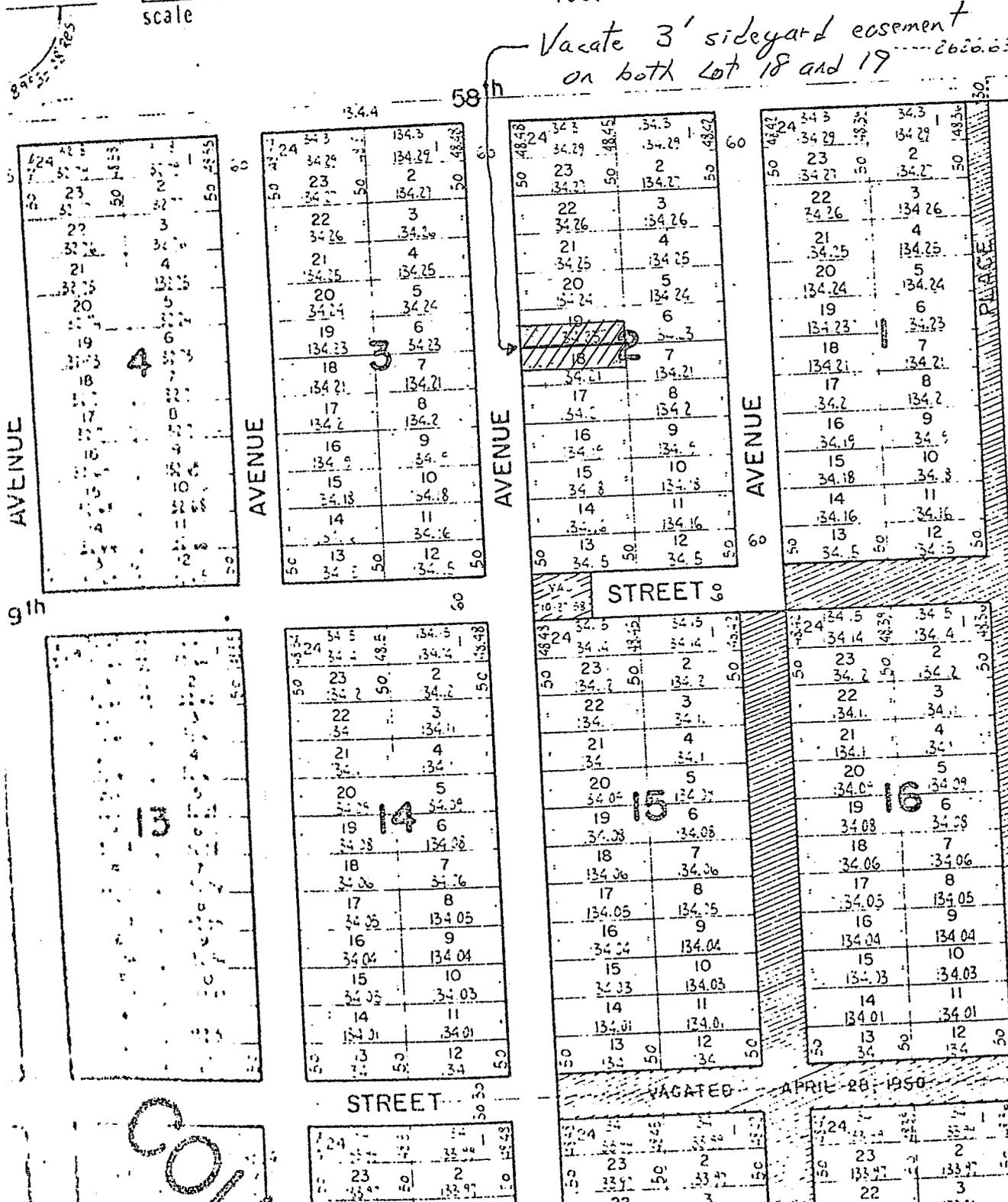
PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

19-28-24

28, R. 24



Vacate 3' sideyard easement
on both Lot 18 and 19



VACATED APRIL 28, 1950

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

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BY ORDER OF THE CITY COUNCIL,

Marcella M. Daehn
Acting City Clerk

Dated this 26th day of May, 1982.

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

NOTICE OF PUBLIC HEARING
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BY ORDER OF THE CITY COUNCIL.

Marcella M. Daehn
Acting City Clerk

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

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BY ORDER OF THE CITY COUNCIL.

Marcella M. Daehn
Acting City Clerk

(Official Publication)

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

NOTICE OF PUBLIC HEARING
ON PARTIAL VACATION OF EASEMENT FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE CITY COUNCIL.

Marcella M. Daehn
Acting City Clerk

Please publish in the Edina Sun on June 2 and 9, 1982.
Please send us two Affidavits of Publication.

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated May 21, 1982.

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 partial vacation of easement
(describe)

Description of area proposed to be vacated:

That portion of an easement created by deed of record in Book of Deeds 1827 page 602 that reads as follows: "Also the same right is reserved in a three foot strip along the side line thereof when necessary to gain access to the 5 foot strip in the rear." also known as
southern three feet of Lot 19, block 2 except easterly five feet and the
northerly three feet of Lot 18, block 2 except easterly five feet of Fair-Pax Alley
 Attach copy of scaled drawing showing in full detail the proposed vacation.

No drawing is attached as the petitioner claims the easement should not affect said property and that said easement is not under the home located at 5821 Oaklawn Avenue.

Signature Larry Jernigan
 Address 5821 OAKLAWN AVE. EDINA
 Telephone 926-8647

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 _____

TOTAL

Attached are the following legal and easement.

75.00
06/04/82

10-3800

1. The title to the fee simple estate in the premises, at the date hereof, vested in

LASZLO SZENDREY AND HILDEGARD SZENDREY,
husband and wife, as joint tenants.

2. The mortgage and assignments, if any, covered by this policy are described as follows:

Mortgage dated April 30, 1963, filed May 22, 1963, as Document No. 727127, made by Laszlo Szendrey and Hildegard Szendrey, husband and wife, to First Southdale National Bank of Edina (United States of America Corporation) to secure \$15,000.00.

3. The land referred to in this policy is situated in Hennepin County, Minnesota, and is the same land as described in the mortgage shown at No. 2 above, being registered land as is evidenced by Certificate of Title No. 359152.

An inspection of the property discloses that the street address of the premises in question is 5821 Oaklawn Avenue, Edina, Minnesota, and that the buildings are located within the lot lines.

SCHEDULE B

This policy does not insure against loss or damage by reason of the following:

1. Taxes not yet due and payable and special assessments, if any.

2. Utility easements created by deed of record in Book 1827 of Deeds, Page 602, as follows: The grantor, its representatives and assigns, reserve the right to erect electric light and telephone poles and suitable equipment for any other public utility and to lay water mains and gas mains on or in the rear 5 feet of the land hereby conveyed, when there is no alley in the rear of said land. (Also the same right is reserved in a 3-foot strip along the side line thereof when necessary to gain access to the 5-foot strip in the rear.) The right is reserved for the purpose of repair, removal or replacement of wires, cables, poles, mains and other equipment. This easement hereby reserved shall run with the land.

3. Restrictions contained in instrument recorded in Book 1827 of Deeds, Page 602, as Document No. 2590391, and in instrument recorded in Book 1129 of Deeds, Page 474, and in instrument recorded in Book 1827 of Deeds, Page 602, all of which contain no forfeiture provision.

"The following is not a part of Schedule B but a special guarantee included in this policy."

NOTE: The Company by this policy insures that at the date hereof said conditions and restrictions have not been violated, and insures further against any loss or damage, not exceeding the amount of this policy, which the insured may sustain by reason of any now existing violation of any such conditions and restrictions.

TITLE INSURANCE COMPANY OF MINNESOTA

By

[Signature]
Assistant Secretary

The North 30 feet of Lot 18; and Lot 19 except
feet thereof, Block 2, "Fairfax"

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 June 7, 19 82, acting on behalf of said City I deposited in the United States mail copies of the attached Mailing List - Notice of Public Hearing - Assessment - 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 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 7 day of June, 19 82.

Lawrence B. Halberg
Edina City Clerk

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

NOTICE OF PUBLIC HEARING
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IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg
City Clerk

Dated this 26th day of May, 1982.

Mailing List - Notice of Public Hearing
L 19, Bl 2 - Fairfax Addr.
Easement Vacation
6/21/82

Fairfax Addr.
Bl 2 L 18

Wm D / Maria N. Dunphy
4638 France Ave. S.

L 19

Lagolo / Heldegard Szendrey
5821 Oaklawn Ave

N. S. P.

N. W Bell

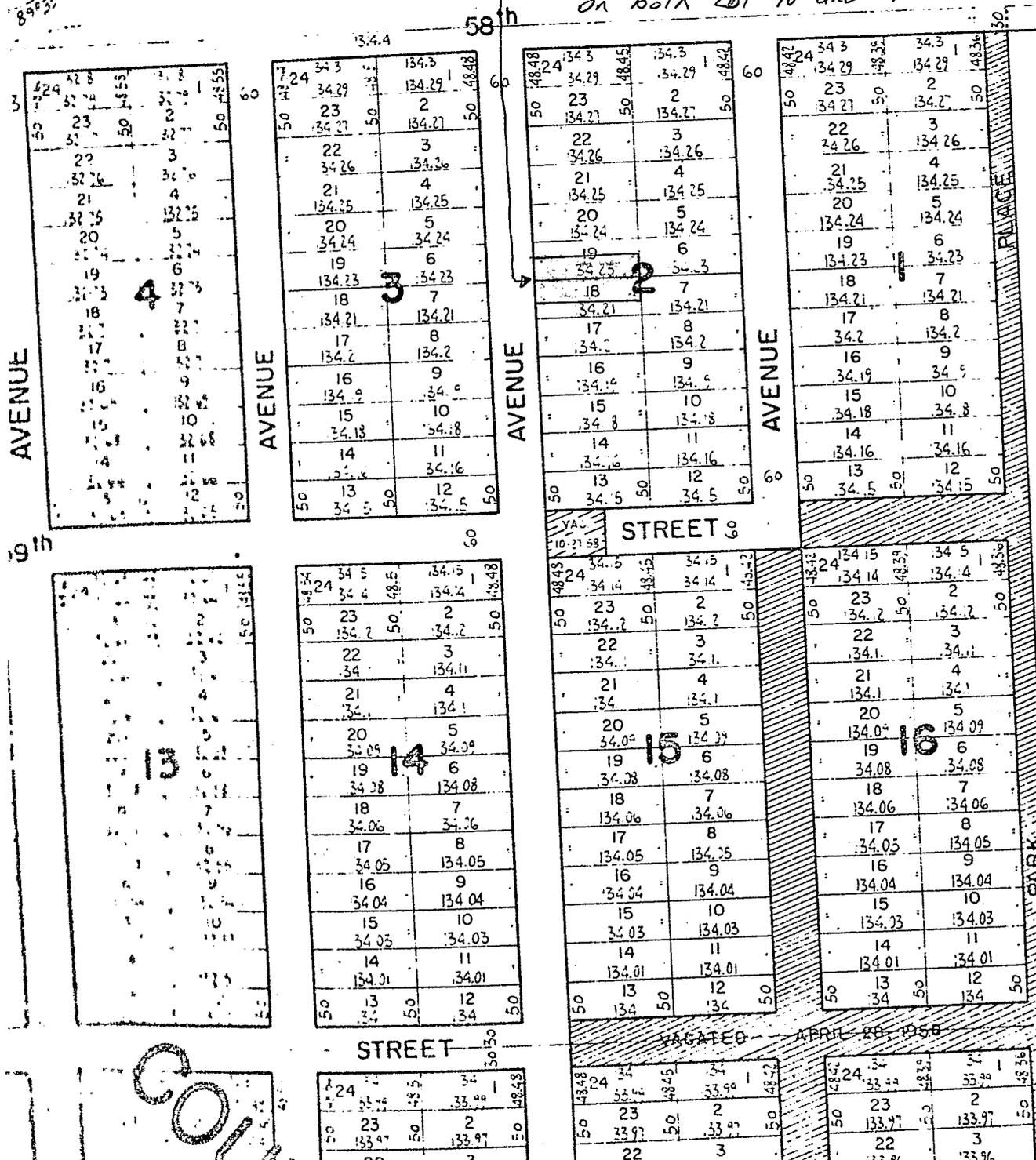
Minneapolis

28, R. 24



Vacate 3' sideyard easement
on both Lot 18 and 19

89°55'18" E



CO

VACATED - APRIL 28, 1950

CITY OF EDINA
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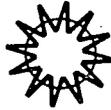
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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg
City Clerk

Dated this 26th day of May, 1982.



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 2 day of June, 19 82

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

Wed the 9 day of June, 19 82 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 9 day of June, 19 82

Meridel M. Hedblom

 **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 PARTIAL VACATION OF
EASEMENT FOR UTILITY
PURPOSES
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BY ORDER OF THE CITY COUNCIL.
MARCELLA M. DAHN
Acting City Clerk
(June 2 & 9, 1982) - ED



SUN NEWSPAPERS

AFFIDAVIT OF PUBLICATION

EDINA SUN

7401 Bush Lake Road

Edina, Minnesot

State of Minnesota
County of Hennepin

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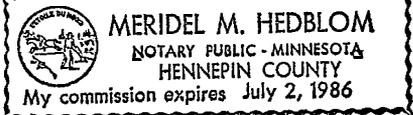
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(Official Publication)
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BY ORDER OF THE CITY COUNCIL.
MARCELLA M. DAEHN
Acting City Clerk
(June 2 & 9, 1982)-ED

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

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on June 21, 1982, adopted a Resolution Vacating Easement for Utility Purposes, after public hearing and notice hereof 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 utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That portion of an easement created by deed of record in Book of Deeds 1927 page 602 that reads as follows: "Also the same right is reserved in a three foot strip along the side line thereof when necessary to gain access to the 5 foot strip in the rear"; also known as Southerly three feet of Lot 19, Block 2, except Easterly five feet thereof and the Northerly three feet of Lot 18, Block 2, except Easterly five feet thereof, Fairfax Addition.

The time of completion of proceedings and the effective date of said vacation is June 22, 1982.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Florence B. Hallberg
City Clerk, City of Edina