

12/15/80 EASEMENT VACATION  
Lots 18, 19, 20, Edina Interchange  
Center 3rd Addition

NOTICE OF COMPLETION OF PROCEEDINGS  
ON VACATION OF EASEMENT FOR STREET, 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 December 15, 1980, adopted a Resolution Vacating Street, Drainage and Utility Easements, 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 vacations be made, which resolution ordered vacation of the following described easements for street, drainage and utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

Vacation for street purposes of the North 60' of Lot 19, Edina Interchange Center, Third Addition; and

Vacation of drainage and utility easements located in the East 5' of the South 105' of Lot 18, the East 5' of Lot 19, and the East 5' of the North 60' of Lot 20, Edina Interchange Center Third Addition

The time of completion of proceedings and the effective date of said vacation is December 16, 1980.

DATED this 23rd day of December, 1980.

BY ORDER OF THE CITY COUNCIL,  
CITY OF EDINA

---

Florence B. Hallberg  
City Clerk, City of Edina

January 6, 1981

Miss Barbara Dulebohn  
Dorsey, Windhorst et al  
2400 First National Bank Bldg.  
Minneapolis, MN 55402

Dear Barb:

Enclosed as you requested are two certified copies of the Resolution adopted by the Edina City Council at its meeting of December 15, 1980.

Will you please send me a copy containing the filing information?

Yours very truly,

City Clerk

enclosures (2)

December 23, 1980

Mr. Thomas S. Erickson  
2400 First National Bank Bldg.  
Minneapolis, MN 55402

Dear Tom:

Enclosed herewith are two executed copies of Notice of Completion of Proceedings for vacation of street, drainage and utility easements in Edina Interchange Center Third Addition.

Will you please see that this document is placed of record?

Yours very truly,

City Clerk

enclosures (2)

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 November 21, 1980, acting on behalf of said City I deposited in the United States mail copies of the attached Notice of Public Hearing for Vacation of Easements for Street, Drainage & Utilities (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 21 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

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

WITNESS my hand and the seal of said City this 21st day of November, 19 80.

Marilla M. Daehn  
Acting Edina City Clerk

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

NOTICE OF PUBLIC HEARING  
FOR VACATION OF EASEMENT FOR STREET PURPOSES AND  
ON VACATION OF DRAINAGE AND UTILITY EASEMENTS

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 Monday, December 15, 1980, at 7:00 p.m. o'clock for the purpose of holding public hearings on street and easements vacations described as follows:

Vacation for street purposes of the north 60' of lot 19, Edina Interchange Center, Third Addition; and  
Vacation of drainage and utility easements located in the east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation and drainage and utility easements vacation are 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 easement vacation 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 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 or to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
Acting City Clerk

DATED this 20th day of November, 1980.

11-21-80

Mailing List for Public Hearing for Vacation of Easement for Street Purposes  
and Vacation of Drainage and Utility Easements:

Edina Place Inc.  
1200 Minnesota Building  
St. Paul, MN 55101

Ryan Construction Company of Minnesota, Inc.  
One Corporate Center  
7401 Metro Blvd. St. 500  
Edina, MN 55435

*N S P*

*Minnesota*

*11 W Bell*

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

AFFIDAVIT OF POSTING NOTICE OF HEARING ON  
VACATION OF EASEMENT(S) FOR PURPOSES OF  
STREET, DRAINAGE AND UTILITIES

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 Nov. 21, 1980, he posted the notice of hearing on vacation of easement(s) to be held on December 15, 1980, 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:

Vacation for street purposes of the north 60' of lot 19, Edina Interchange Center, Third Addition; and  
Vacation of drainage and utility easements located in the east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition.

11-21-80

Rummen

Police Patrolman

Subscribed and sworn to before me,  
this 24 day of Nov., 1980.

Flourence B. Hallberg  
Notary Public, Hennepin County, Minnesota  
My commission expires:

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

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Vacation of drainage and utility easements located in the east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition.

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation and drainage and utility easements vacation are 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 easement vacation 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 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 or to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
Acting City Clerk

DATED this 20th day of November, 1980.

(Official Publication)

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

NOTICE OF PUBLIC HEARING  
FOR VACATION OF EASEMENT FOR STREET PURPOSES AND  
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BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
Acting City Clerk

DATED this 20th day of November, 1980.

Please publish in the Edina Sun on November 26 and December 3, 1980.  
Please send us two Affidavits of Publication.

 **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 26th. day of Nov., 19 80

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

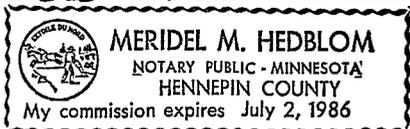
Wed. the 3rd day of Dec., 19 80 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

D. K. Mortenson

Subscribed and sworn to before me this 3rd. day of Dec., 19 80

Meridel M. Hedblom



(Official Publication)  
CITY OF EDINA,  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
**NOTICE OF PUBLIC HEARING  
FOR VACATION OF EASEMENT  
FOR STREET PURPOSES AND ON  
VACATION OF DRAINAGE AND  
UTILITY EASEMENTS**  
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BY ORDER OF THE EDINA CITY COUNCIL,  
MARCELLA M. DAEHN  
Acting City Clerk  
DATED this 20th day of November, 1980.  
(Nov. 26 & Dec. 3, 1980)-ED

(Official Publication)  
 CITY OF EDINA  
 4801 W. 50TH STREET  
 EDINA, MINNESOTA 55424  
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 MARCELLA M. DAEHN  
 Acting City Clerk  
 DATED this 20th day of November, 1980.  
 (Nov. 26 & Dec. 3, 1980) -ED

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

7401 Bush Lake Road

Edina, Minnesota

State of Minnesota  
 County of Hennepin

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

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

Wed. the 3rd. day of Dec., 19 80 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 3rd. day of Dec., 19 80

Meridel M. Hedblom

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

PETITION TO VACATE STREET UTILITY EASEMENT

TO THE HONORABLE COUNCIL OF THE CITY OF EDINA

DATED October 23, 1980

The undersigned represent that they are the majority of owners of real property abutting ~~on the line of~~ a UTILITY EASEMENT ~~street~~ from see easement description attached below ~~XXXXXX~~, and petition that said portion ~~of said street~~ be vacated. The facts and reasons for this application are as follows: The easement is not used, the land is being developed and new easements are being created.

In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said ~~XXXXXX~~ easement.

<u>SIGNATURE OF OWNERS</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF PROPERTY</u>
* <u>EDINA PLACE, INC.</u> <u>Michael J. DeConvey</u> <u>PRESIDENT</u>	<u>1200 MINNESOTA BLDG.</u> <u>ST. PAUL, MINN.</u>	<u>Lots 18, 19, and 20,</u> <u>Edina Interchange Center,</u> <u>Third Addition</u>
<u>RYAN CONSTRUCTION COMPANY OF</u> <u>MINNESOTA, INC.</u> By: <u>Dave Sebastian</u> <u>Dist. Secy.</u>	<u>ONE CORPORATE CENTER</u> <u>7401 Metro Blvd., St. 500</u> <u>Edina, Minnesota 55435</u>	

Description of Easement to be Vacated -

The east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition.





PETITION TO VACATE STREET UTILITY EASEMENT

TO THE HONORABLE COUNCIL OF THE CITY OF EDINA

DATED October 23, 1980

The undersigned represent that they are the majority of owners of real property abutting ~~on the line of~~ a UTILITY EASEMENT ~~street~~ from see easement description attached below, and petition that said portion ~~of said street~~ be vacated. The facts and reasons for this application are as follows: The easement is not used, the land is being developed and new easements are being created.

In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said ~~street~~ easement.

<u>SIGNATURE OF OWNERS</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF PROPERTY</u>
* <u>EDINA PLACE, INC.</u> <u>Michael V. De Courcy</u> <u>PRESIDENT</u>	<u>1200 MINNESOTA BLDG.</u> <u>ST. PAUL, MINN.</u>	<u>Lots 18, 19, and 20,</u> <u>Edina Interchange Center,</u> <u>Third Addition</u>
<u>RYAN CONSTRUCTION COMPANY OF</u> <u>MINNESOTA, INC.</u> By: <u>Dana Schackma</u> <u>Asst. Secy.</u>	<u>ONE CORPORATE CENTER</u> <u>7401 Metro Blvd., St. 500</u> <u>Edina, Minnesota 55435</u>	

Description of Easement to be Vacated -

The east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition.

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated October 23, 1980

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 \_\_\_\_\_ (describe)

Description of area proposed to be vacated:

The north 60' of lot 19, Edina Interchange Center, Third Addition.  
\_\_\_\_\_  
\_\_\_\_\_

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

X RYAN CONSTRUCTION COMPANY OF MINNESOTA, INC. Signature *Michael J. DeConce*  
 7401 METRO BLVD Address 1700 MINNESOTA BLDG., ST. PAUL, MN  
 EDINA, MIN. 55435 835-7990 Telephone 227-9337  
 by: *Alan W. Schrockman*  
*Dist. Eng*

- 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 \_\_\_\_\_

# EXCEPTION

West line of East 23.36 acres of Govt Lot 2

N 0° 28' 31" E

101.2

142.97

247.44

223.71

$\Delta = 160^{\circ} 15' 46''$

R=80

18



191.15

$\Delta = 12^{\circ} 56' 08''$   
C=871.7  
87.36

30

30

$\Delta = 42^{\circ} 50' 33''$   
C=2766.03  
377.91

R=377.91



244.41

C=2728.16

73.10

328.40

432.00

225.39

30

30

73.51

103.60

133.60

110.37

C=109.98

125.00

125.00

125.00

$\Delta = 16^{\circ} 38' 29''$   
C=92.62  
92.94  
R=390

$\Delta = 16^{\circ} 09' 58''$

N 16° 09' 58" W

487.96

N 88° 53' 29" W

436.45

N 88° 53' 29" W

20

436.42

N 89° 31' 29" W

21

423.03

N 89° 56' 39" W

197.30

955.50

290.57

225.19

367.0

375.18

375.18

## STREET

## LANE

## LOT K

2

OU



PETITION TO VACATE STREET UTILITY EASEMENT

TO THE HONORABLE COUNCIL OF THE CITY OF EDINA

DATED October 23, 1980

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In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said ~~street~~ ~~XXXXXX~~ easement.

<u>SIGNATURE OF OWNERS</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF PROPERTY</u>
* <u>EDINA PLACE, INC.</u> <u>Michael V. De Courcy</u> <u>PRESIDENT</u>	<u>1200 MINNESOTA BLDG.</u> <u>ST. PAUL, MINN.</u>	<u>Lots 18, 19, and 20,</u> <u>Edina Interchange Center,</u> <u>Third Addition</u>
<u>RYAN CONSTRUCTION COMPANY OF</u> <u>MINNESOTA, INC.</u> By: <u>Dana Schabus</u> <u>Dist. Secy.</u>	<u>ONE CORPORATE CENTER</u> <u>7401 Metro Blvd., St. 500</u> <u>Edina, Minnesota 55435</u>	

Description of Easement to be Vacated -

The east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition.





STREET AND/OR EASEMENT VACATION REVIEW

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

CONDITIONS \_\_\_\_\_

MINNEGASCO by W. J. Schum 11/24/80  Acceptable  Opposed  Conditional.

CONDITIONS \_\_\_\_\_

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

CONDITIONS \_\_\_\_\_

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

CONDITIONS \_\_\_\_\_

LOCATION North 60' of Lot 19, Edina Interchange Center, Third Addition; and East 5' of South 105' of Lot 18, the East 5' of Lot 19 and the East 5' of the North 60' of Lot 20, Edina Interchange Center, Third Addition

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

DORSEY, WINDHORST, HANNAFORD, WHITNEY & HALLADAY

2300 FIRST NATIONAL BANK BUILDING  
MINNEAPOLIS, MINNESOTA 55402

(612) 340-2600

CABLE: DOROW  
TELEX: 29-0605

TELECOPIER: (612) 340-2868

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

115 THIRD STREET SOUTHWEST  
ROCHESTER, MINNESOTA 55901  
(507) 288-3156

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

JAMES A. FLADER  
DAVID L. BOEHLEN  
MICHEL A. LAFOND  
DON D. CARLSON  
PAUL J. SCHEERER  
WILLIAM J. NEFFEL  
FRANK H. VOIST  
WILLIAM H. HIPPEE, JR.  
ROBERT A. BURNS  
ROGER J. MAGNUSON  
PETER S. HENDRIXSON  
JAY F. COOK  
STANLEY M. REIN  
CHARLES L. POTUZNIK  
VERLANE L. ENDORF  
DENNIS P. BURATTI  
ROBERT L. HOBBS  
BARRY D. GLAZER  
IRVING WEISER  
STEPHEN E. GOTTSCHALK  
KENNETH L. CUTLER  
OWEN C. MARK  
J. ROBERT HIBBS  
MICHAEL E. MURPHY  
GARY M. JOHNSON  
ROBERT G. BAYER  
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STUART R. HEMPHILL  
J. DAVID JACKSON  
W. CHARLES LANTZ  
STEVEN F. WOLGAMOT  
J. MARQUIS EASTWOOD  
EDWARD J. PLUMER  
JAMES E. BOWLUS

THOMAS D. VANDER MOLEN  
MARK A. JARBOE  
PAUL B. KLAAS  
MARGERY K. OTTO  
RONALD J. BROWN  
MARC L. KRUGER  
CATHERINE A. BARTLETT  
DAVID J. LUBBEN  
BRUCE J. SHNIDER  
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DARRON C. KNUTSON  
BARBARA B. FARRELL  
LENZA McELRATH, JR.  
MARIANNE D. SHORT  
MICHAEL E. REESLUND  
ELIZABETH A. GOODMAN  
MARIANNE E. DURKIN  
JOHN K. ELLINGBOE  
ROBERT J. DWYER, JR.  
BRIAN L. NORDWALL  
BRIAN E. PALMER  
MICHAEL T. WESTERMAYER  
JEROME P. GILLIGAN  
DIANE D. MALFELD  
DEBORAH S. KLEINMAN  
WILLIAM J. BERENS  
JAMES D. ALT

OF COUNSEL  
WALDO F. MARQUART  
JOHN F. FINN

HENRY HALLADAY  
JULE M. HANNAFORD  
ARTHUR B. WHITNEY  
RUSSELL W. LINDQUIST  
DAVID R. BRINK  
RODACE HITCH  
ROBERT J. JOHNSON  
MAYNARD B. HASSELOQUIST  
PETER DORSEY  
GEORGE P. FLANNERY  
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ARTHUR E. WEISBERG  
DUANE E. JOSEPH  
JAMES B. VESSEY  
WILLIAM A. WHITLOCK  
EDWARD J. SCHWARTZBAUER  
THOMAS M. BROWN  
CORNELIUS D. HAHONEY, JR.  
WILLIAM C. BABCOCK  
THOMAS S. ERICKSON  
MICHAEL E. BRESS  
RAYMOND A. REISTER  
JOHN J. TAYLOR  
WILLIAM J. HEMPEL  
JOHN S. HIBBS  
ROBERT O. FLOTTEN  
JOHN D. LEVINE  
ROBERT J. STRUYK  
MICHAEL A. OLSON  
LARRY W. JOHNSON  
THOMAS S. HAY  
G. LARRY GRIFFITH  
CRAIG A. BECK  
DAVID L. McCUSKEY

THOMAS O. MOE  
JAMES H. O'HAGAN  
JOHN M. MASON  
LOREN R. KNOTT  
PHILLIP H. MARTIN  
REESE C. JOHNSON  
CHARLES J. HAUENSTEIN  
CHARLES A. GEER  
JOHN C. ZWAKMAN  
JOHN R. WICKS  
EUGENE L. JOHNSON  
JOHN W. WINDHORST, JR.  
MICHAEL PRICHARD  
JOHN P. VITKO  
WILLIAM R. SOTH  
RICHARD G. SWANSON  
FAITH LOHMAN  
DAVID A. RAHHEIM  
ROBERT J. SILVERMAN  
THOMAS R. MANTHEY  
WILLIAM R. HIBBS  
PHILIP F. BOELTER  
WILLIAM B. PAYNE  
ROBERT A. HEIBERG  
JOHN D. KIRBY  
ROBERT A. SCHWARTZBAUER  
DAVID N. FRONEK  
THOMAS W. TINKHAM  
JON F. TUTTLE  
EMERY W. BARTLE  
WILLIAM A. JOHNSTONE  
STEVEN K. CHAMPLIN  
MICHAEL L. RADMER  
MICHAEL TRUCANO

January 27, 1981

Mr, Gordon Hughes  
City Planner  
City of Edina  
4801 West 50th Street  
Edina, Minnesota 55424

RE: Lots 18, 19 and 20, Block 1, Edina Interchange  
Center Third Addition

Dear Gordon:

I am enclosing herewith the filed copy of the Certificate of City Clerk and Resolution relating to the vacation of road and utility easements in Lots 18, 19 and 20, Edina Interchange Center Third Addition. This document was filed in the office of the Hennepin County Recorder on January 7, 1981, as Document No. 4616171. We were advised that Lot 18, Edina Interchange Center Third Addition, was part Torrens property and, therefore, tried to file this document with the Registrar of Titles' office. We were advised by the Registrar's office that the portion of Lot. 18 affected by the vacation is Abstract property and, therefore, there is no need to file the same in the Registrar's office.

If you have any questions regarding this document, please advise.

Very truly yours,

Thomas S. Erickson

TSE/bjd  
Enclosure  
cc. Stephen J. Davis (w/enc.)  
Florence Hallberg (w/enc.)

4616171

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

CERTIFICATE OF CITY CLERK

I, the undersigned, being the duly qualified and acting City Clerk of the City of Edina, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original minutes on file and of record in my office, and that the same is a full, true and correct transcript of the minutes of a meeting of the City Council of said City duly called and held on the date indicated as far as such minutes relate to the vacation of road and utility easements in Lots 18, 19 and 20, Edina Interchange Center Third Addition.

WITNESS my hand and seal of said City this 5th day of January,  
19 81.

Glenn D. Hallberg  
City Clerk



ing on whether such vacation shall be made in the interest of the public.  
3. The Clerk is authorized and directed to cause notice of the time, place and purpose of said hearing to be published once a week for two weeks, in the Edina Sun, being the official newspaper in the City, the first publication at least 14 days prior to the date of such hearing and to post such notice, at least 14 days prior to the date of such hearing, in at least three (3) public and conspicuous places within the City, as provided in Minnesota Statutes, Section 412.851. Such notice shall be in substantially the following form:

(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING  
FOR VACATION OF ROADWAY EASEMENT

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 Monday, January 19, 1980, at 7:00 p.m. o'clock for the purpose of holding public hearing on roadway easement vacation described as follows:

The portion of Outlot 1, Heath Glen Addition, lying Easterly of Delaney Blvd.

All persons who desire to be heard with respect to the question of whether or not the above proposed drainage and utility 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 easement vacation 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 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 or to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg  
City Clerk

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

Rollcall:

Ayes: Bredesen, Courtney, Richards, Van Valkenburg  
Nays: None

Resolution adopted.

EDINA INTERCHANGE CENTER 3RD ADDITION ROAD AND UTILITY EASEMENTS VACATION APPROVED.

Affidavits of Notice were presented by Clerk, approved as to form and ordered placed on file. Mr. Hoffman presented a petition, signed by owners of the affected property located in Lots 18, 19 and 20, Edina Interchange Center, Third Addition. No objections being heard, Councilman Courtney offered the following resolution and moved its adoption:

RESOLUTION VACATING  
STREET, DRAINAGE AND UTILITIES

WHEREAS, a resolution of the City Council, adopted the 17th day of November, 1980, fixed a date for a public hearing on a proposed vacation of easements for street, drainage and utility purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of December, 1980, 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 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 street, drainage and utility easement be and is hereby vacated effective as of December 16, 1980:

Vacation for street purposes of the North 60' of Lot 19, Edina Interchange Center, Third Addition; and

Vacation of drainage and utility easements located in the East 5' of the South 105' of Lot 18, the East 5' of Lot 19, and the East 5' of the North 60' of Lot 20, Edina Interchange Center Third Addition

and that the 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 foregoing resolution was duly seconded by Councilman Richards.

Rollcall:

Ayes: Bredesen, Courtney, Richards, Van Valkenburg

Nays: None

Resolution adopted.

COMMUNICATIONS RECORDER BID AWARDED. Mr. Rosland presented tabulation of bids for a communications recorder and advised that the only bid had been submitted by Dictaphone Corporation in the amount of \$13,178.00. Councilman Richards' motion was seconded by Councilman Bredesen for award to recommended bidder, Dictaphone Corporation.

Ayes: Bredesen, Courtney, Richards, Van Valkenburg

Nays: None

Motion carried.

CONTRACTS AWARDED FOR STORM SEWER IMPROVEMENT NO. ST.S-165. Mr. Rosland presented tabulation of bids for Storm Sewer and Subgrade Correction (earthwork) on St.S-165 (One Corporate Center - Phase Five) Tabulation for Proposal A (Subgrade Correction) showed Julian M. Johnson low bidder at \$13,891.60, Orfei & Sons, Inc., at \$14,071.96, Duluxe Construction, Inc., at \$18,666.10, and A.C.G. Mechanical at \$26,563.50, against Engineer's estimate of \$13,071.00. Tabulation for Proposal B (Storm Sewer) showed G. L. Contracting, Inc., low bidder at \$95,899.41, A.C.G. Mechanical at \$96,247.00, Richard Knutson, Inc., at \$97,959.39, and Orfei & Sons, Inc., at \$109,207.61, against Engineer's estimate of \$99,956.70. Councilman Richards' motion for award to recommended low bidder in both cases was seconded by Councilman Courtney.

Ayes: Bredesen, Courtney, Richards, Van Valkenburg

Nays: None

Resolution adopted.

BID AWARDED FOR LIFE PAK V FOR NEW AMBULANCE. Being advised by Mr. Rosland that only one bid had been received for Life Pak V for the new ambulance, said bid being from Physio-Control in the amount of \$6,450.00, Councilman Bredesen's motion for award to Physio-Control for \$6,450.00, was seconded by Councilman Richards.

Ayes: Bredesen, Courtney, Richards, Van Valkenburg

Nays: None

Motion carried.

ART CENTER REMODELING BID APPROVED SUBJECT TO OBTAINING YEAR 7 COMMUNITY DEVELOPMENT FUNDS. Mr. Rosland recalled that original bids for the remodeling of the Art Center had been rejected because the cost was too high. Recalling that Mr. Howard Nichols had agreed to contribute \$25,000 toward the project in memory of his wife, Elaine (Tede), Mr. Rosland presented a tabulation of new bids showing Dahn Builders, Inc., low bidder at \$48,150.00, Keho Construction at \$52,700.00 and H. K. Lindahl & Sons at \$54,815.00. Mr. Rosland recalled that it had been intended to use Community Development funds for the lavatories for the handicapped, but that these funds will not be available until August 1, 1981. Following discussion, Councilman Bredesen's motion that the staff proceed to work with the County in obtaining Year 7 Funds for the lavatories and that the contract be awarded on the condition that the Year 7 Funds are approved, was seconded by Councilman Courtney.

Ayes: Bredesen, Courtney, Richards, Van Valkenburg

Nays: None

Motion carried.

PARK DEPARTMENT/CAPITAL IMPROVEMENTS FUNDS DISCUSSED. On behalf of the Park Board, Mrs. Joan Lonsbury recommended that the following dollars be taken out of the Dedicated Funds and used for capital improvements: Lewis Park, \$47,000; Walnut Ridge Park, \$33,000; Arden Park, \$5,000; Pamela Park, \$2,000; 44th Street Property, \$5,000. It was informally agreed that the request would be further studied.

HISTORICAL AND ARCHITECTURAL SURVEY OF COUNTRY CLUB DISTRICT APPROVED. Recalling that the Historical and Architectural Survey of the Country Club District had been continued from the meeting of December 1, 1980, Councilman Richards said that he had studied the situation further and believes that the survey has merit. He then moved that the Council approve the recommendation of the Edina Heritage Preservation Board that the nomination to the National Register of Historic Places

4616171

JAN-7-81 6 1 7 1 \$ 000.00

NO FEE REQUIRED

OFFICE OF COUNTY RECORDER  
HENNING COUNTY, MINN. SOIA  
CERTIFIED TRUE AND COR  
RECORDED

1981 JAN -7 PM 3:40

AS DOCUMENT  
**4616171**  
DEPUTY

Set on ...



**RYAN** construction company  
OF MINNESOTA INCORPORATED

December 17, 1980

Mr. Fran Hoffman  
City of Edina  
4801 W. 50th Street  
Edina, Minnesota 55424

Dear Fran:

Enclosed is a copy of a letter from Harry S. Johnson Companies, Inc. and the description of the sanitary sewer easement that we are requesting be vacated.

Thanks again for you help and cooperation.

Sincerely,

RYAN CONSTRUCTION COMPANY

Alan W. Schackman  
Director, Industrial & Housing Development

AWS/wm

Enc.

HARRY S. JOHNSON COMPANIES, INC.



401 West 79<sup>th</sup> St.  
Bloomington, MN. 55420  
(612) 884-5341

Professional Services in LAND SURVEYING • PLANNING • DEVELOPMENT

rysa Const. Co.  
DEC 17 1980  
Mpls. Office

December 15, 1980

Mr. Al Schackman  
Ryan Construction Company  
7401 Metro Blvd.  
Edina, MN 55435

Re: Sanitary Sewer Easement Vacation ( Document No. 3613416 )

Dear Al:

The sanitary sewer easement as described in Document No. 3613416 has been shown on the final plat of ONE CORPORATE CENTER PHASE 5 as a dedicated public drainage and utility easement. This easement is located north of Blocks 2 and 4, south of Block 5 and shown 35 feet, more or less, east of the west line of the plat. The dedicated drainage and utility easements shown on the plat cover the same easement area described in Doc. No. 3613416. In the case of the east-west portion of the described easement, an additional 5 feet has been added to the south side of the original 10 foot easement.

Our previous topographic survey of this area has indicated that the existing sanitary sewer line is totally within this dedicated drainage and utility easement. The attached description should be used to vacate that portion of Doc. No. 3613416 that crosses ONE CORPORATE CENTER PHASE 5; the city park land and State Highway No. 100 right-of-way. This would leave a portion of this sanitary sewer easement in the proposed Phase 4 property.

If you have any questions, please call me.

Sincerely,  
HARRY S. JOHNSON CO., INC.

*Wayne D. Cordes*

Wayne D. Cordes

cc: Mr. Bruce Burton, Atty.

PORTION OF DOC. NO. 3613416 TO BE VACATED  
( Sanitary Sewer Easement )

A strip of land 10 feet in width, the centerline of which is described as follows:

Commencing at a point 100 feet west of the east line of Government Lot 2, Section 9, Township 116, Range 21; which point is 6 feet south of the centerline of Hibiscus Avenue extended westerly; thence westerly to a point which is 176.0 feet west of the east line of said Government Lot 2 and 16 feet south of the centerline of Hibiscus Avenue extended; thence westerly to a point which is 5 feet east of the west line of the east 23.36 acres of said Government Lot 2, and 16 feet south of the centerline of Hibiscus Avenue extended; thence southerly, 5 feet east of and parallel to the west line of the east 23.36 acres of said Government Lot 2 to the north line of the south 550.0 feet of said Government Lot 2, (as measured at right angles to and parallel with the south line of said Government Lot 2) and there terminating.

Also a triangle of land described as follows:

Commencing at a point which is 21 feet south of the centerline of Hibiscus Avenue extended westerly and 10 feet east of the west line of the east 23.36 acres of said Government Lot 2; thence easterly parallel to the centerline of Hibiscus Avenue extended a distance of 20 feet; thence southwesterly to a point which is 41 feet south of the centerline of Hibiscus Avenue extended and 10 feet east of the west line of the east 23.36 acres of said Government Lot 2; thence northerly to the point of beginning.

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 12/18/80

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 \_\_\_\_\_  
(describe)

Description of area proposed to be vacated:

Per attached description  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

For Ryan Construction Company  
Signature Alan W. Shockman [Signature]  
Address Suite 500 / One Corporate Center, 7401 Metro  
Edina  
Telephone 835-7990

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 \_\_\_\_\_

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 J. E. Fraser  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

LOCATION \_\_\_\_\_

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

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

NOTICE OF PUBLIC HEARING  
FOR VACATION OF EASEMENT FOR STREET PURPOSES AND  
ON VACATION OF DRAINAGE AND UTILITY EASEMENTS

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 Monday, December 15, 1980, at 7:00 p.m. o'clock for the purpose of holding public hearings on street and easements vacations described as follows:

Vacation for street purposes of the north 60' of lot 19,  
Edina Interchange Center, Third Addition; and  
Vacation of drainage and utility easements located in the east 5' of  
the south 105' of lot 18, the east 5' of lot 19 and the east 5' of  
the north 60' of lot 20, Edina Interchange Center, Third Addition

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation and drainage and utility easements vacation are 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 easement vacation 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 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 or to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
Acting City Clerk

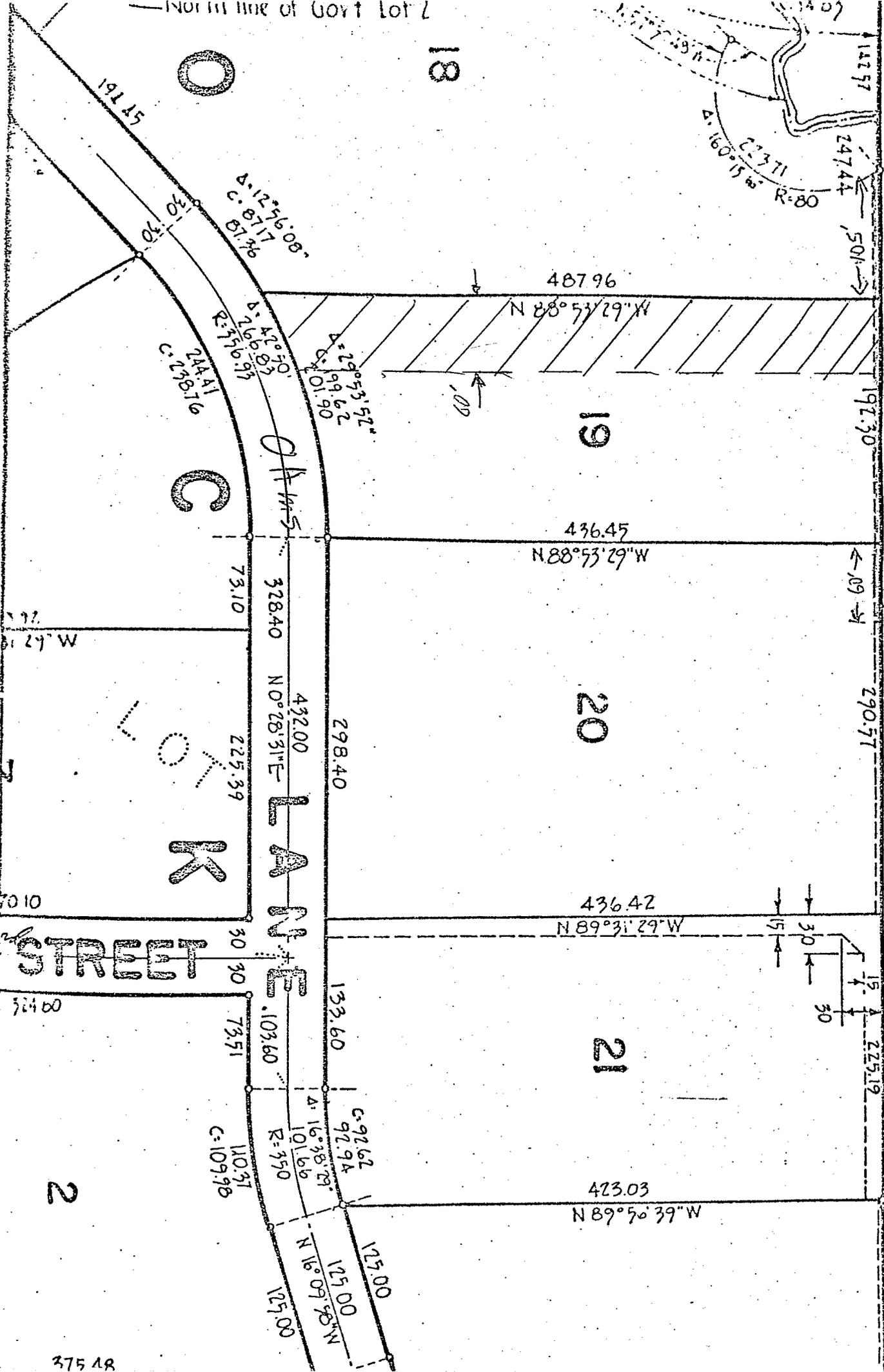
DATED this 20th day of November, 1980.

**E X C E P T I O N**

West line of East 23.36 acres of Govt Lot 2

N 0° 28' 31" E

101 =



2

375.48

OU

367.0

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 *none - Kenneth Jefferman, Manager Distribution, NW Bell Telco*

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

CONDITIONS \_\_\_\_\_

LOCATION Vacation for street purposes of the north 60' of lot 19, Edina Interchange Center, Third Addition; and Vacation of drainage and utility easements located in the east 5' of the south 105' of lot 18, the east 5' of lot 19

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition

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

NOTICE OF PUBLIC HEARING  
FOR VACATION OF EASEMENT FOR STREET PURPOSES AND  
ON VACATION OF DRAINAGE AND UTILITY EASEMENTS

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 Monday, December 15, 1980, at 7:00 p.m. o'clock for the purpose of holding public hearings on street and easements vacations described as follows:

Vacation for street purposes of the north 60' of lot 19, Edina Interchange Center, Third Addition; and  
Vacation of drainage and utility easements located in the east 5' of the south 105' of lot 18, the east 5' of lot 19 and the east 5' of the north 60' of lot 20, Edina Interchange Center, Third Addition

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation and drainage and utility easements vacation are 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 easement vacation 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 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 or to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Marcella M. Daehn  
Acting City Clerk

DATED this 20th day of November, 1980.

