

EASEMENT VACATION 1/19/76

Lot 1, Bl. 1, McCauley Heights 5th
Addition

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 R. Steffens Acceptable Opposed Conditional

CONDITIONS _____

LOCATION _____

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

LOT 1 BLK 1, McCAULEY HEIGHTS 5TH ADDN.

R. Steffens
1-5-76

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ Acceptable Opposed Conditional

CONDITIONS _____

MINNEGASCO by W^M Johnson 1-5-76 Acceptable Opposed Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ Acceptable Opposed Conditional

CONDITIONS _____

N.S.P. by _____ Acceptable Opposed Conditional

CONDITIONS _____

LOCATION ATTACHED

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

RE: Lot 1, Block 1, McCAULEY HGTS 5TH ADD.

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

NOTICE OF PUBLIC HEARING
OF VACATION OF EASEMENTS FOR UTILITY AND
DRAINAGE PURPOSES IN THE CITY OF
EDINA, HENNEPIN COUNTY, MINNESOTA

LOT 1, BLOCK 1, MC CAULEY HEIGHTS 5TH ADDITION

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, 1975, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for utility and drainage purposes:

All that part of the utility and drainage easement described in Deed Document #3674645 on file or of record in the office of the Register of Deeds, County of Hennepin, State of Minnesota, lying within Lot 1, Block 1, McCauley Heights 5th addition; and

All that part of the 10 foot utility and drainage easement as shown on Lot 1, Block 1, in the duly recorded plat of McCauley Heights 5th Addition, lying South of a line parallel with and 15 feet Southerly of the Northerly line of said Lot 1. Also all that part of the utility and drainage easement as shown on said Lot 1 which lies Southwesterly of aforesaid 10 foot drainage and utility easement.

All persons who desire to be heard with respect to the question of whether or not the above 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 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.

Florence B. Hallberg
City Clerk

DATED December 26, 1975

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 _____ Acceptable Opposed Conditional

CONDITIONS _____

LOCATION _____

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

A. J. Parlow Dist. Engr.

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

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

DATED December 26, 1975

February 4, 1976

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

Dear Tom:

Enclosed herewith are three certified copies of the Resolution vacating easements in McCauley Heights Addition which was approved by Council on January 19th, 1976.

Will you please see that this document is filed and advise me as soon as the filing has taken place so that I can advise Mrs. Betty McCauley?

Enclosed also is a copy of my letter to Mr. William M. Holm regarding his Notice of Claim which was on the Council Agenda on February 2, 1976. I send you this for your records, along with a copy of our file.

Yours very truly,

City Clerk

enclosures

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

CERTIFICATION OF MINUTES RELATING TO VACATION OF
EASEMENTS FOR PURPOSES OF UTILITY AND DRAINAGE

Meeting of the City Council of Edina.

Regular meeting held Monday, January 19, 1976, at Edina City Hall, 7:00 p.m.
in the City Council Chambers.

Members present: Courtney, Richards, Schmidt, Shaw and Mayor Van Valkenburg

Members absent: None

Documents attached:

Minutes of Public Hearing on vacation of easements for purposes of
drainage and utility.

Resolution Vacation Easements for Utility and Drainage Purposes

I, the undersigned, being the duly qualified and acting Clerk for 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 4th day of February, 1976.

Florence B. Hallberg, City Clerk

LOT 1, BLOCK 1, MC CAULEY HEIGHTS 5TH ADDITION EASEMENT VACATION APPROVED.

Affidavits of Notice were presented by Clerk, approved as to form and ordered placed on file. Mr. Dunn presented the petition for vacation of easements for the drainage and utility purposes, advising that this is simply a "housekeeping" matter and that Northern States Power Company, Northwestern Bell Telephone Company and Minnesota Gas Company have all indicated that the vacations are acceptable to them. No objections being heard, Councilman Shaw offered the following resolution and moved its adoption:

RESOLUTION VACATING EASEMENTS FOR
UTILITY AND DRAINAGE PURPOSES

WHEREAS, a resolution of the City Council, adopted the fifteenth day of December, 1975, fixed a date for a public hearing on a proposed vacation of easement for utility and drainage purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 19th day of January, 1976, 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 portion of utility and drainage easements be and are hereby vacated effective as of January 19, 1976:

All that part of the utility and drainage easement described in Deed Document #3674645 on file or of record in the office of the Register of deeds, County of Hennepin, State of Minnesota, lying within Lot 1, Block 1, McCauley Heights 5th Addition; and

All that part of the 10 foot utility and drainage easement as shown on Lot 1, Block 1, in the duly recorded plat of McCauley Heights 5th Addition lying South of a line parallel with and 15 feet Southerly of the Northerly line of said Lot 1. Also all that part of the utility and drainage easement as shown on said Lot 1 which lies Southwesterly of aforesaid 10 foot drainage and utility easement; and

BE IT FURTHER RESOLVED 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 resolution was seconded by Councilman Richards and on rollcall there were five ayes and no nays and the resolution was adopted.

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 January 2, 19 76, acting on behalf of said City I deposited in the United States mail copies of the attached Notice of Public Hearing - Vacation of Utility & Drainage Easements in Lot 1, Block 1, McCauley Heights 5th Addn. (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 the seal of said City this 2nd day of January, 19 76.

Douglas B. Haddock
Edina City Clerk

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

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All persons who desire to be heard with respect to the question of whether or not the above 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 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.

Florence B. Hallberg
City Clerk

DATED December 26, 1975

Easement Vacation - L. 1 Bl. McCauley
Heights 5th Addn -

Mailing List - Notice of Public Hrg.

McCauley Heights 5th Addn

76110

(and Dec 196)

73972

Parcel 1735

Betty Jane McCauley

6817 McCauley Tr W.

Dr. Paul B. Johnson

4617 Cascade Ln

Mps. Gas Co.

A. S. P.

N. W. Bell

(Official Publication)

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

Please publish in the Edina Sun on December 29, 1975. and Jan. 7, 1975.
Please send us two Affidavits of Publication.

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

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

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 JANUARY 2ND, 19 76, he posted the notice of hearing on vacation of easement(s) to be held on JANUARY 19TH, 19 76, 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:

All that part of the utility and drainage easement described in Deed Document #3674645 on file or of record in the office of the Register of Deeds, County of Hennepin, State of Minnesota, lying within Lot 1, Block 1, McCauley Heights 5th Addition; and

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Robert G. Clark #20
Police Patrolman

Subscribed and sworn to before me,
this 2nd day of Jan., 19 76.

Dorrence B. Halberg
Notary Public, Hennepin County, Minnesota
My commission expires:

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

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

DATED December 26, 1975

(Official Publication)
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BY ORDER OF THE EDINA CITY
COUNCIL.

FLORENCE B. HALLBERG
City Clerk

(Dec. 31, 1975 &
Jan. 7, 1976)—ED



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known 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 each 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 advertisements. (4) Said newspaper is circulated in and near the municipality 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 Bloomington 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 an 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.

(Official Publication)
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BY ORDER OF THE EDINA CITY COUNCIL.

FLORENCE B. HALLBERG
City Clerk

(Dec. 31, 1975 &
Jan. 7, 1976)-ED

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 31 day of December, 19 75

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

Wed the 7 day of January, 19 76 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 7 day of January, 19 76

Muriel L. Quist
MURIEL L. QUIST, NOTARY PUBLIC
COUNTY OF HENNEPIN, STATE OF MINNESOTA
MY COMMISSION EXPIRES JULY 28th, 1978

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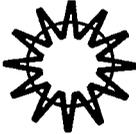
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BY ORDER OF THE EDINA CITY COUNCIL.

FLORENCE B. HALLBERG
City Clerk

(Dec. 31, 1975 &
Jan. 7, 1976)—ED



SUN NEWSPAPERS

AFFIDAVIT OF PUBLICATION

EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known 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 each 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 advertisements. (4) Said newspaper is circulated in and near the municipality 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 Bloomington 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 an 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.

Notice of Public Hearing

He further states on oath that the printed 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 31 day of December, 19 75

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

Wed the 7 day of January, 19 76 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 7 day of January, 19 76

MURIEL L. QUIST, NOTARY PUBLIC
COUNTY OF HENNEPIN, STATE OF MINNESOTA
MY COMMISSION EXPIRES JULY 23rd, 1979



Phone: 546-6837

PRESIDENT
ARTHUR E. OSTLUND
REGISTERED LAND SURVEYOR

November 26, 1975

VICE PRESIDENT
VERNON A. NICKOLS
REGISTERED LAND SURVEYOR

DESCRIPTION OF UTILITY AND DRAINAGE EASEMENT TO BE VACATED

All that part of the utility and drainage easement described in Deed Document #3674645 on file or of record in the office of the Register of Deeds, County of Hennepin, State of Minnesota, lying within Lot 1, Block 1, McCAULEY HEIGHTS 5TH ADDITION.

All that part of the 10 foot utility and drainage easement as shown on Lot 1, Block 1, in the duly recorded plat of McCAULEY HEIGHTS 5TH ADDITION, lying South of a line parallel with and 15 feet Southerly of the Northerly line of said Lot 1. Also all that part of the utility and drainage easement as shown on said Lot 1 which lies Southwesterly of aforesaid 10 foot drainage and utility easement.

DESCRIPTION OF NEW UTILITY AND DRAINAGE EASEMENT

That part of Lot 1, Block 1, McCAULEY HEIGHTS 5TH ADDITION, described as follows: Beginning at the Northwesterly corner of Block 3, McCAULEY HEIGHTS 3RD ADDITION; thence North 73 degrees 52 minutes 00 seconds East along the line dividing said McCAULEY HEIGHTS 3RD ADDITION and McCAULEY HEIGHTS 5TH ADDITION, a distance of 132.90 feet; thence North 36 degrees 01 minutes 00 seconds West, a distance of 10.63 feet; thence South 73 degrees 52 minutes 00 seconds West to the South line of said Lot 1; thence Easterly along said South line to the point of beginning.

Betty Mc Cauley
Dr. Paul B. Johnson 4617 Cascade Dr

Jan 19

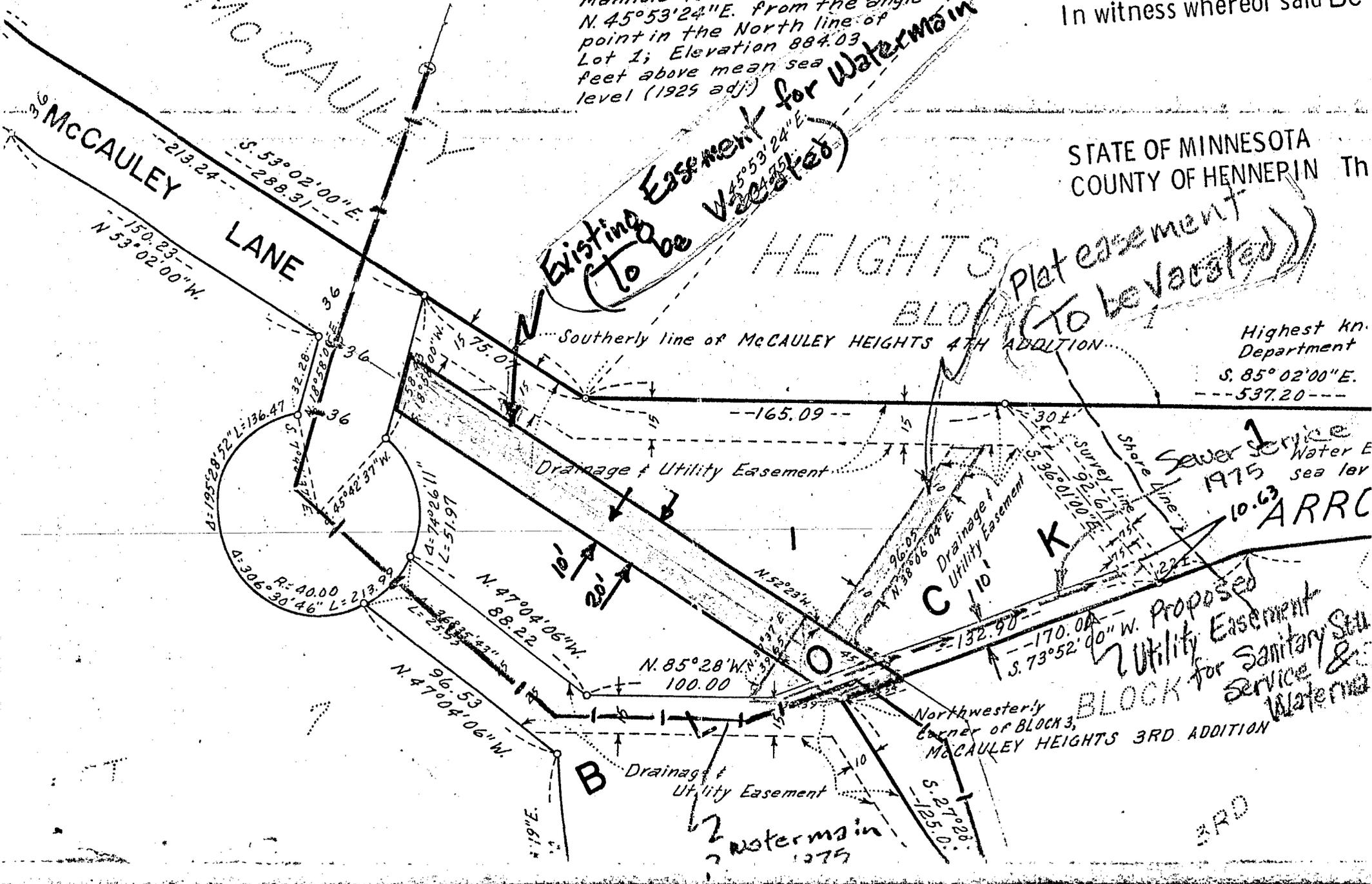


TRAIL

Most Westerly corner of
MCCAULEY HEIGHTS 4TH ADDITION

Bench Mark: Top center of
Manhole located 234.75 feet
N. 45° 53' 24" E. from the angle
point in the North line of
Lot 1; Elevation 884.03
feet above mean sea
level (1925 adj)

Northerly, and Westerly line
of said Block 4 to the Northw
McCauley Trail to the point c
Has caused the same to be s
and easements for drainage
In witness whereof said Be



STATE OF MINNESOTA
COUNTY OF HENNER IN Th

Highest kn.
Department
S. 85° 02' 00" E.
--- 537.20 ---

Sewer Service
Water E
1975 sea lev
10.63
ARRC

Proposed
Utility Easement
for Sanitary Sew
&
Watermain

Northwesterly
corner of BLOCK 3,
MCCAULEY HEIGHTS 3RD ADDITION

3RD

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

NOTICE OF PUBLIC HEARING
OF VACATION OF EASEMENTS FOR UTILITY AND
DRAINAGE PURPOSES IN THE CITY OF
EDINA, HENNEPIN COUNTY, MINNESOTA

LOT 1, BLOCK 1, MC CAULEY HEIGHTS 5TH ADDITION

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, 1975, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for utility and drainage purposes:

All that part of the utility and drainage easement described in Deed Document #3674645 on file or of record in the office of the Register of Deeds, County of Hennepin, State of Minnesota, lying within Lot 1, Block 1, McCauley Heights 5th addition; and

All that part of the 10 foot utility and drainage easement as shown on Lot 1, Block 1, in the duly recorded plat of McCauley Heights 5th Addition, lying South of a line parallel with and 15 feet Southerly of the Northerly line of said Lot 1. Also all that part of the utility and drainage easement as shown on said Lot 1 which lies Southwesterly of aforesaid 10 foot drainage and utility easement.

All persons who desire to be heard with respect to the question of whether or not the above 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 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.

Florence B. Hallberg
City Clerk

DATED December 26, 1975

4191031

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

CERTIFICATION OF MINUTES RELATING TO VACATION OF
EASEMENTS FOR PURPOSES OF UTILITY AND DRAINAGE

Meeting of the City Council of Edina.

Regular meeting held Monday, January 19, 1976, at Edina City Hall, 7:00 p.m.
in the City Council Chambers.

Members present: Courtney, Richards, Schmidt, Shaw and Mayor Van Valkenburg

Members absent: None

Documents attached:

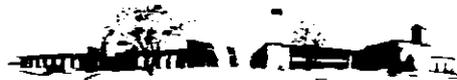
Minutes of Public Hearing on vacation of easements for purposes of
drainage and utility.

Resolution Vacation Easements for Utility and Drainage Purposes

I, the undersigned, being the duly qualified and acting Clerk for 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 tran-
script 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 4th day of February, 1976.

Florence B. Neilson



City of Edina

LOT 1, BLOCK 1, MC CAULEY HEIGHTS 5TH ADDITION EASEMENT VACATION APPROVED.
Affidavits of Notice were presented by Clerk, approved as to form and ordered
placed on file. Mr. Dunn presented the petition for vacation of easements for
the drainage and utility purposes, advising that this is simply a "housekeeping"
matter and that Northern States Power Company, Northeastern Bell Telephone
Company and Minnesota Gas Company have all indicated that the vacations are
acceptable to them. No objections being heard, Councilman Shaw offered the fol-
lowing resolution and moved its adoption:

RESOLUTION VACATING EASEMENTS FOR
UTILITY AND DRAINAGE PURPOSES

WHEREAS, a resolution of the City Council, adopted the fifteenth day of December,
1975, fixed a date for a public hearing on a proposed vacation of easement for
utility and drainage purposes; and
WHEREAS, two weeks' published and posted notice of said hearing was given and
the hearing was held on the 19th day of January, 1976, 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 portion of utility and drainage
easements be and are hereby vacated effective as of January 19, 1976:

All that part of the utility and drainage easement described in Deed
Document #3674645 on file or of record in the office of the Register
of Deeds, County of Hennepin, State of Minnesota, lying within Lot 1,
Block 1, McCauley Heights 5th Addition; and
All that part of the 10 foot utility and drainage easement as shown on
Lot 1, Block 1, in the duly recorded plat of McCauley Heights 5th Addition
lying south of a line parallel with and 15 feet southerly of the northerly
line of said Lot 1. Also all that part of the utility and drainage ease-
ment as shown on said Lot 1 which lies southeasterly of aforesaid 10 foot
drainage and utility easement; and

BE IT FURTHER RESOLVED that the Clerk is authorized and directed to cause a
notice of completion of proceedings to be prepared, entered in the transfer
records of the County Auditor, and filed with the Register of Deeds, in accord-
ance with Minnesota Statutes, Section 412.851.
Notice for adoption of the resolution was recorded by Councilman Richards and on
roll call there were five yeas and no nays and the resolution was adopted.

4191031

REC-675 1071 00003201

OFFICE OF REGISTER OF DEEDS
STATE OF MINNESOTA
COUNTY OF HENNEPIN
I hereby certify that this within instrument
was filed for record in this office on the
6 day of FEB. A.D. 1976 at 3:20
P.M. and was duly recorded in Book
78 of Hennepin County Records
4191031
DEPUTY REGISTER OF DEEDS

REC FEE 3-
CITY FEE 2-