

9/4/90 VACATION OF PUBLIC PURPOSES  
EASEMENTS

Part of Outlot A, Interlachen Hills  
3rd Addition



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

October 2, 1990

Mr. Norman P. Bjornnes, Jr.  
Lincoln Drive Partners  
401 Groveland Avenue  
Minneapolis, MN 55403

874-1182

Re: Vacation of Easements for Drainage and Utility Purposes  
Lots 1, 2, 3, 4, and 5, Block 1, INTERLACHEN HILLS 3RD ADDITION  
Vacation of Easements for Various Public Purposes  
Outlot A, INTERLACHEN HILLS 3RD ADDITION

Dear Mr. Bjornnes:

Enclosed are two certified copies of the resolutions adopted by the Edina City Council on September 4, 1990 and two certified copies of the Notice of Completion with regard to the above referenced easements vacations.

It is my understanding that you will have the documents entered into the transfer record of the County Auditor and filed with the County Recorder. Please provide me with the recording data when this has been done.

Very truly yours,

*Marcella M. Daehn*

Marcella M. Daehn  
City Clerk

Recorded 11/15/90  
Document No 5722528

4 enclosures

cc: Thomas S. Erickson w/enclosures  
Dorsey and Whitney



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

**RESOLUTION VACATING EASEMENTS FOR  
VARIOUS PUBLIC PURPOSES**

WHEREAS, a resolution of the City Council, adopted the 20th day of August, 1990, fixed a date for a public hearing on a proposed vacation of easements for public park lands, public open space and storm water pond and holding area purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 4th day of September, 1990, 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 vacations 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, telephone or cable television polls and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota that the following described easements for various public purposes as described above be and are hereby vacated effective as of September 5, 1990:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION, except the Easterly twenty (20) feet of Outlot A, INTERLACHEN HILLS 3RD ADDITION.

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

ADOPTED this 4th day of September, 1990.

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

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular meeting of September 4, 1990 and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 28th day of September, 1990.

\_\_\_\_\_  
Marcella M. Daehn



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

**NOTICE OF COMPLETION OF PROCEEDINGS  
ON VACATION OF EASEMENTS FOR VARIOUS PUBLIC PURPOSES**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on September 4, 1990, adopted a Resolution Vacating Easements for Various Public Purposes, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easements vacation be made, which resolution ordered the vacation of the following described easements for public park lands, public open space and storm water pond and holding area, all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION, except the Easterly twenty (20) feet of Outlot A, INTERLACHEN HILLS 3RD ADDITION.

The time of completion of proceedings and the effective date of said vacation is September 5, 1990.

BY ORDER OF THE CITY COUNCIL,  
CITY OF EDINA

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

---

Marcella M. Daehn  
City Clerk

**NOTICE OF COMPLETION OF PROCEEDINGS  
ON VACATION OF EASEMENTS FOR VARIOUS PUBLIC PURPOSES**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on September 4, 1990, adopted a Resolution Vacating Easements for Various Public Purposes, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easements vacation be made, which resolution ordered the vacation of the following described easements for public park lands, public open space and storm water pond and holding area, all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION, except the Easterly twenty (20) feet of Outlot A, INTERLACHEN HILLS 3RD ADDITION.

The time of completion of proceedings and the effective date of said vacation is September 5, 1990.

BY ORDER OF THE CITY COUNCIL,  
CITY OF EDINA

---

Marcella M. Daehn  
City Clerk

**RESOLUTION VACATING EASEMENTS FOR  
VARIOUS PUBLIC PURPOSES**

WHEREAS, a resolution of the City Council, adopted the 20th day of August, 1990, fixed a date for a public hearing on a proposed vacation of easements for public park lands, public open space and storm water pond and holding area purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 4th day of September, 1990, 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 vacations 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, telephone or cable television polls and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota that the following described easements for various public purposes as described above be and are hereby vacated effective as of September 5, 1990:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION, except the Easterly twenty (20) feet of Outlot A, INTERLACHEN HILLS 3RD ADDITION.

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

ADOPTED this 4th day of September, 1990.

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

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular meeting of September 4, 1990 and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 28th day of September, 1990.

\_\_\_\_\_  
Marcella M. Daehn

Except the Easterly 20' of lot A Interlachen Hills 2<sup>nd</sup> 1st  
and lot 2 Block 2 Interlachen Hills 2<sup>nd</sup> 1st.



## REPORT/RECOMMENDATION

<b>To:</b> KEN ROSLAND, MANAGER	<b>Agenda Item #</b> VII.B
<b>From:</b> MARCELLA DAEHN, CLERK	<b>Consent</b> <input checked="" type="checkbox"/>
<b>Date:</b> AUGUST 16, 1990	<b>Information Only</b> <input type="checkbox"/>
<b>Subject:</b> PETITION FOR VACATION OF EASEMENTS FOR VARIOUS PUBLIC PURPOSES - PART OF OUTLOT A, INTERLACHEN HILLS 3RD ADDITION	<b>Mgr. Recommends</b> <input type="checkbox"/> To HRA <input checked="" type="checkbox"/> To Council
	<b>Action</b> <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Discussion

### Recommendation:

Adoption of a resolution setting Tuesday, September 4, 1990 as hearing date for the vacation of easements for various public purposes - Outlot A, Interlachen Hills 3rd Addition.

### Info/Background:

A petition has been filed with the City requesting vacation of the above referenced easements for various public purposes.

Staff would recommend that September 4, 1990 be set as hearing date to consider the vacation petition.

# Minnesota Suburban Newspapers AFFIDAVIT OF PUBLICATION

City of Edina

(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR  
PUBLIC 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 September 4, 1990 at 7:00 p.m.,  
for the purpose of holding a public hearing on the  
proposed vacation of the following easements for  
public purposes:

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

Gregory Ptacin

, being duly sworn on an oath says that he/she is

the publisher or authorized agent and employee of the publisher of the newspaper known as

Edina Sun-Current

, and has full knowledge of the facts which are

stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper,  
as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week,

for two successive weeks; it was first published on Wednesday, the 15 day

of August, 1990, and was thereafter printed and published on every Wednesday to

and including Wednesday, the 22 day of August, 1990; and printed below is

a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size

and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY:

*Gregory Ptacin*

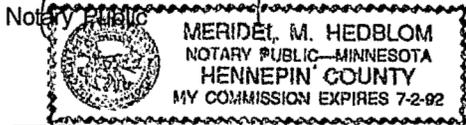
TITLE:

General Manager

Acknowledged before me on this

24 day of August, 1990.

*Meridee M. Hedblom*



### RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space	\$ <u>1.10 per line</u> (Line, word, or inch rate)
(2) Maximum rate allowed by law for the above matter	\$ <u>64.9¢ per line</u> (Line, word, or inch rate)
(3) Rate actually charged for the above matter	\$ <u>59¢ per line</u> (Line, word, or inch rate)

That part of Outlot A, INTERLACHEN  
HILLS 3RD ADDITION according to the  
recorded plat thereof, which lies east of the  
northerly extension of the west lines of Lots  
29 through 35, Block 1, in said IN-  
TERLACHEN HILLS 3RD ADDITION.  
All persons who desire to be heard with respect  
to the question of whether or not the above pro-  
posed vacation of easements is in the public in-  
terest and should be made shall be heard at said  
time and place. The Council shall consider the ex-  
tent to which such proposed easements vacation  
affects existing easements within the area of the  
proposed vacation and the extent to which the  
vacation affects the authority of any person, cor-  
poration, or municipality owning or controlling  
electric, telephone, or cable television 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 speci-  
fying, in any such vacation resolution, the extent  
to which any or all of any such easements, and  
such authority to maintain, and to enter upon the  
area of the proposed vacation, shall continue.  
BY ORDER OF THE  
EDINA CITY COUNCIL  
MARCELLA M. DAEHN  
City Clerk  
(Aug. 15 & 22, 1990)-ED

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

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR PUBLIC 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 September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for public purposes:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed vacation of easements 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 easements 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, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn  
City Clerk

Please publish in the Edina Sun-Current on August 15 and 22, 1990  
Send two Affidavits of Publication



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

STREET AND/OR EASEMENT VACATION REVIEW

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

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

U.S. WEST COMMUNICATIONS by \_\_\_\_\_  Acceptable  Opposed  Conditional

NSP by \_\_\_\_\_  Acceptable  Opposed  Conditional

PARAGON CABLE by Ronald A. Goodin  Acceptable  Opposed  Conditional  
Ronald A. Goodin  
Verification Technician

CONDITIONS: \_\_\_\_\_

LOCATION: \_\_\_\_\_  
Part of Outlot A, INTERLACHEN HILLS 3RD ADDITION  
\_\_\_\_\_  
(See legal description on attached Notice of Public Hearing)  
\_\_\_\_\_

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk  
City of Edina  
4801 W. 50th Street  
Edina, MN 55424

Paragon Reference maps No. L56-62  
-72

PARAGON CABLE  
Ronald Goodin  
522-5200 Ext. 754  
CA \_\_\_\_\_  
RE: \_\_\_\_\_

AUG 29 1990

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

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by *[Signature]*  Acceptable  Opposed  Conditional

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

U.S. WEST COMMUNICATIONS by \_\_\_\_\_  Acceptable  Opposed  Conditional

NSP by \_\_\_\_\_  Acceptable  Opposed  Conditional

PARAGON CABLE by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS: *vacate except for easterly 20 feet*

LOCATION: Part of Outlot A, INTERLACHEN HILLS 3RD ADDITION  
(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk  
City of Edina  
4801 W. 50th Street  
Edina, MN 55424

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

CERTIFICATE OF POSTING NOTICE

I, the undersigned duly appointed and acting Police Patrolman for the City of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have on this date posted copies of the attached and foregoing  
NOTICE OF PUBLIC HEARING - VACATION OF EASEMENTS FOR PUBLIC PURPOSES

on three official City Bulletin Boards, as follows:

- 1) City Hall, 4801 W. 50th Street
- 2) 50th and France Business Area, 3943 W. 50th Street
- 3) Amundson Avenue Shopping Center

Dated August 23, 1990 Signed Jace Lynn Morgan  
Police Patrolman

Signed and sworn to before me, a Notary Public in and for Hennepin County, Minnesota, this 23 day of August, 19 90.

Nancy Karkhoff





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

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR PUBLIC 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 September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for public purposes:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed vacation of easements 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 easements 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, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn  
City Clerk

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

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST COMMUNICATIONS by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by <u>S. E. Fraser</u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: \_\_\_\_\_

LOCATION: Part of Outlot A, INTERLACHEN HILLS 3RD ADDITION  
(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk  
City of Edina  
4801 W. 50th Street  
Edina, MN 55424

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

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST COMMUNICATIONS by <u><i>W. P. Keller</i></u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: \_\_\_\_\_

LOCATION: Part of Outlot A, INTERLACHEN HILLS 3RD ADDITION  
(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk  
City of Edina  
4801 W. 50th Street  
Edina, MN 55424

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

STREET AND/OR EASEMENT VACATION REVIEW

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

8-20-90  
MINNEGASCO by Stane VonBoga  Acceptable  Opposed  Conditional

U.S. WEST COMMUNICATIONS by \_\_\_\_\_  Acceptable  Opposed  Conditional

NSP by \_\_\_\_\_  Acceptable  Opposed  Conditional

PARAGON CABLE by \_\_\_\_\_  Acceptable  Opposed  Conditional

CONDITIONS: \_\_\_\_\_

LOCATION: Part of Outlot A, INTERLACHEN HILLS 3RD ADDITION  
(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk  
City of Edina  
4801 W. 50th Street  
Edina, MN 55424



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

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR PUBLIC 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 September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for public purposes:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed vacation of easements 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 easements 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, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn  
City Clerk

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 August 15, 19 90, acting on behalf of said City I deposited in the United States mail copies of the attached NOTICE OF PUBLIC HEARING - EASEMENT 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 at least 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 15th day of August, 19 90.

Maudie M. Daeh  
Edina City Clerk



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

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR PUBLIC 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 September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for public purposes:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed vacation of easements 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 easements 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, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn  
City Clerk

MAILING LIST - PUBLIC HEARING - VACATION OF PUBLIC PURPOSES EASEMENTS  
Part of Outlot A, Interlachen Hills 3rd Addition

- VACATION OF DRAINAGE & UTILITY EASEMENTS  
Lots 1,2,3,4,5, Blk 1, Interlachen Hills  
3rd Addition

30-117-21-33-0002

John B. Lang  
5210 Malibu Drive  
Edina MN 55436

0003

Irene K. Maeder  
5208 Malibu Drive  
Edina MN 55436

0004

Carl M. Hansen  
David Horning  
3252 Girard Avenue So.  
Minneapolis MN 55408

0005

Same property owner as 0004

0006

Same property owner as 0004

Stuart E. Fraser  
NSP Normandale Division  
5309 W. 70th Street  
Edina, MN 55439

Steven Von Bargaen  
Minnegasco  
700 Linden Avenue S.  
P.O. Box 1165  
Minneapolis MN 55403

Pat Hopman  
U.S. West Communications  
6244 Cedar Avenue So.  
Richfield MN 55423

Matt Haveland  
Paragon Cable  
801 Plymouth Avenue No.  
Minneapolis MN 55411

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

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR PUBLIC 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 September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for public purposes:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed vacation of easements 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 easements 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, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn  
City Clerk

Please publish in the Edina Sun-Current on August 15 and 22, 1990  
Send two Affidavits of Publication

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 8/1/90

Fee Waived

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 Public park lands, public open space and storm water pond and holding area  
(describe)

Legal description of area proposed to be vacated:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

Attached copy of scaled drawing showing in full detail the proposed vacation.  
See attached survey, item B.                      LINCOLN DRIVE PARTNERS, a Minnesota limited partnership  
Signature Norman P. Bjornnes, Jr.  
Address 401 Groveland Avenue  
Minneapolis, Minnesota 55403  
Telephone 612/874-1102

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 \_\_\_\_\_



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

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENTS FOR PUBLIC 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 September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for public purposes:

That part of Outlot A, INTERLACHEN HILLS 3RD ADDITION according to the recorded plat thereof, which lies east of the northerly extension of the west lines of Lots 29 through 35, Block 1, in said INTERLACHEN HILLS 3RD ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed vacation of easements 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 easements 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, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn  
City Clerk



**PARCEL 1 NOTES:**

All dimensions are in feet and decimals unless otherwise indicated. Dimensions under two feet are not necessarily drawn to scale. Orientation of this bearing system is assumed.

Title Commitments by Commonwealth Land Title Insurance Company, File Nos. C27705 and C27706, Reissue No. 1, dated April 6, 1990 as to Parcel 1, were relied on for information as to matters of record.

In reference to Item 9, Schedule B, Section 1 of Commitments, deed recorded as Doc. No. 4337907 does not affect Parcel 1; deed recorded as Doc. No. 4894326 adjoins as shown.

Item 8, Schedule B, Section 2 of Commitments refers to unrecorded agreement dated March 5, 1984 between City of Edina and Wallace B. Kenneth. Agreement permits a 72-unit building on Parcel 1 and provides for various conveyances, which may be represented by Docs. No. 4894325, 6, and 7. Exhibit drawing of agreement appears incomplete; further effects, if any, on Parcel 1 could not be determined.

Item 9, Schedule B, Section 2 of Commitments refers to taking of access rights by Doc. No. 4058031. Access referred to was adjoining present Highway 169, which does not affect Parcel 1 as it has no direct frontage (access to Highway 169 is available via Lincoln Drive).

Item 11, Schedule B, Section 2 of Commitments refers to access easement per Doc. No. 4388633; does not affect Parcel 1.

Item 12 of Schedule B, Section 2 of Commitments refers to an easement for park and other purposes over Outlot A, per deed from Wallace B. and Jean Kenneth to City of Edina, recorded as Doc. No. 4297637. In a subsequent deed, Doc. No. 4894327, the City of Edina conveyed back to Wallace B. Kenneth the part of Outlot A included in the surveyed parcel. The park easement is therefore not shown as affecting the surveyed parcel.

Parcel 1 is zoned PRD-3; setback from R.O.W., 35' or building height; interior lot line setback, 20' or building height; 75' rear setback on Parcel 1 per unrecorded agreement dated March 5, 1984; variance approved for reduced setbacks on proposed building, per information from Phil Dommer, City of Edina. Zoning on adjoining parcels as shown.

Positional tolerance of corners does not exceed 0.15 foot. Tolerance is due to minor discrepancies between found monuments in the plat of Interlachen Hills 3rd Addition.

Topography is shown per Clark Engineering survey of November 1989. Proposed building location is as staked. Underground utilities are per visible surface evidence and available records as of November 1989.

STATE LAW: 48 HOURS BEFORE EXCAVATING, CALL 454-0002 FOR FIELD LOCATION OF UNDERGROUND UTILITY LINES (this service locates utility-owned lines but not private lines, if any).

**PARCEL 2**  
(SEE SEPARATE SURVEY)  
ZONED PRD-3

**CERTIFICATE:**

I hereby certify to Lincoln Drive Partners; to The Penn Mutual Life Insurance Company; to United Mine Workers of America Construction Workers Pension Fund; to AmCal Advisors, Inc.; and to Title Services, Inc., as follows:

That this drawing is a true and correct representation of a survey made on the ground of the within described property, and correctly shows the boundary lines, dimensions, and area thereof based on said survey; that said property has a fixed and determinable location and that the dimensions shown hereon have been adjusted to geometric closure;

That this drawing correctly shows the proposed location of buildings to be constructed on said property, and of other visible and substantial improvements existing thereon according to said survey;

That, except as may be shown hereon, there are no visible lines of possession, visible easements, rights-of-way, or party walls; no visible encroachments of improvements situated on said property onto adjoining properties or rights-of-way; and no visible encroachments onto said property by improvements situated on adjoining properties or rights-of-way;

That this drawing correctly shows the location of all easements and other matters of record which are disclosed by Title Commitment referred to or are otherwise known to the undersigned, and which affect specific portions of said property, including all flowage and drainage easements affecting or necessary for present use of the subject property; and that setback and zoning lines affecting said property, with any existing violations thereof, are shown or noted hereon;

That said described property is located outside the 500-year flood zone according to HUD Map No. 270160 0001B, dated May 1, 1980;

That this drawing correctly shows the location of any portion of said described property located within a federally protected freshwater wetland according to records of the U.S. Army Corps of Engineers and the Minnesota Department of Natural Resources;

That this drawing and the surveys on which it is based were made in conformity with the "Standard Detail Requirements for Land Title Surveys" jointly established and adopted by ALTA and ACSM in 1962;

That this drawing and said surveys were prepared by me or under my direct supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

*John V. Chaffee* Reg. No. 15772 Date 7-24-90  
John V. Chaffee, R.L.S.

**LEGAL DESCRIPTION:**

\*Parcel 1:

Lots 1, 2, 3, 4 and 5, block 1, INTERLACHEN HILLS 3RD ADDITION, according to the recorded plat thereof;

Those parts of Lot 2, Block 2, Outlot A and vacated Lincoln Drive, all in INTERLACHEN HILLS 3RD ADDITION, according to the recorded plat thereof, described as follows:

Beginning at the Northeast corner of said Lot 1, Block 1; thence South 77 degrees 07 minutes 56 seconds West, along the Northerly line of said Lot 1, a distance of 227.31 feet to the Northwest corner of said Lot 1, being the point of beginning of the land to be described; thence South 0 degrees 11 minutes 19 seconds East, a distance of 92.00 feet; thence South 52 degrees 25 minutes 51 seconds West, a distance of 186.55 feet to an intersection with the Northerly extension of the West lines of Lots 29 through 35, in said Block 1; thence South 0 degrees 11 minutes 19 seconds East, along said extended line, a distance of 115.00 feet to the Northwest corner of Lot 35 in said Block 1; thence South 89 degrees 58 minutes 00 seconds East, a distance of 155.00 feet to the Westerly line of said vacated Lincoln Drive; thence Southerly along said Westerly line of vacated Lincoln Drive to the Southeast corner of Lot 34, in said Block 1; thence East to the Southwest corner of Lot 5, in said Block 1, being the Easterly line of vacated Lincoln Drive; thence Northerly along said Easterly line of vacated Lincoln Drive, to the point of beginning.

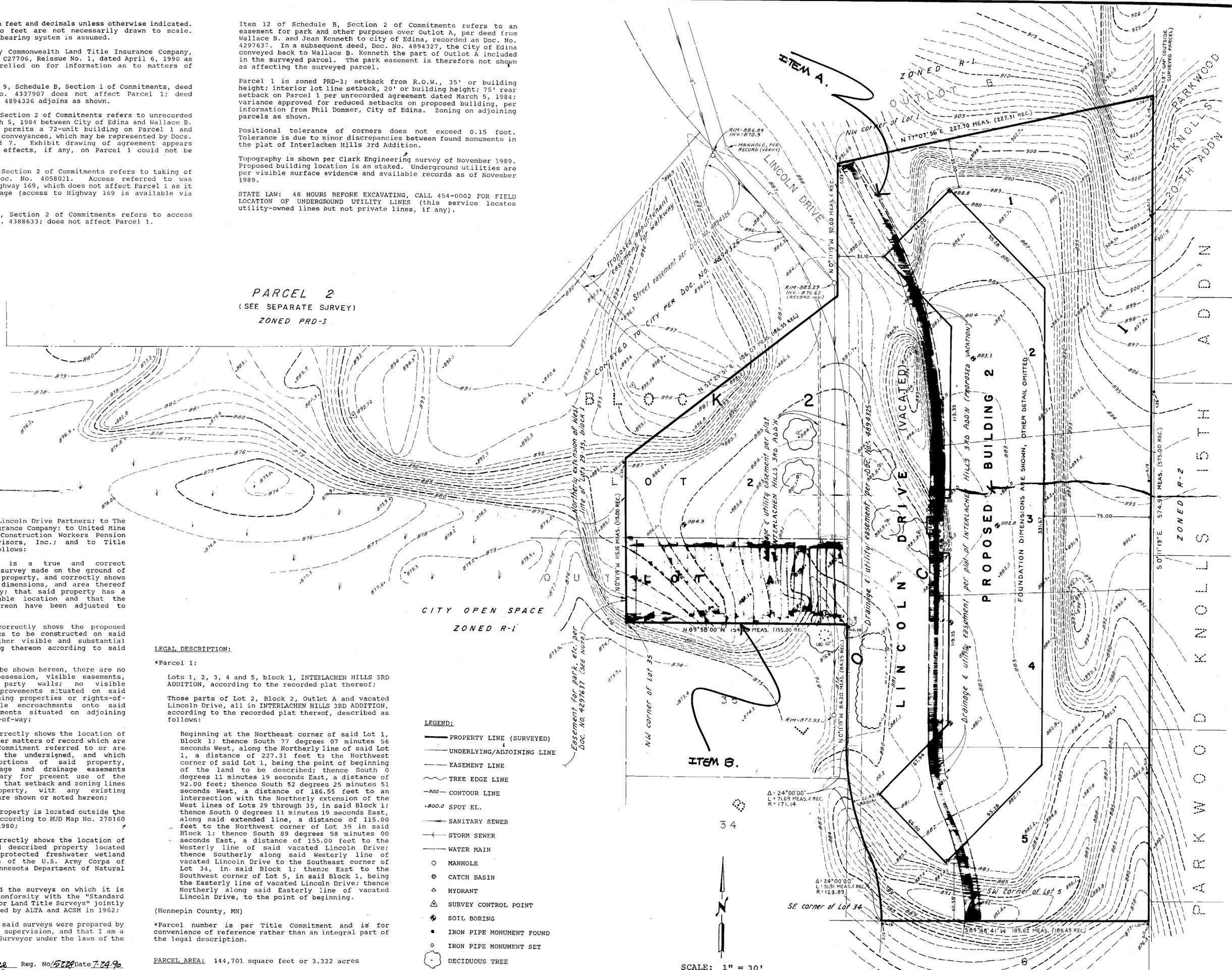
(Hennepin County, MN)

\*Parcel number is per Title Commitment and is for convenience of reference rather than an integral part of the legal description.

PARCEL AREA: 144,701 square feet or 3.322 acres

**LEGEND:**

- PROPERTY LINE (SURVEYED)
- UNDERLYING/ADJOINING LINE
- EASEMENT LINE
- TREE EDGE LINE
- CONTOUR LINE
- SPOT EL.
- SANITARY SEWER
- STORM SEWER
- WATER MAIN
- MANHOLE
- ⊙ CATCH BASIN
- △ HYDRANT
- △ SURVEY CONTROL POINT
- ◆ SOIL BORING
- IRON PIPE MONUMENT FOUND
- IRON PIPE MONUMENT SET
- DECIDUOUS TREE



**CLARK ENGINEERING COMPANY**

Consulting Engineers  
Land Surveyors

2815 Wayzata Blvd.  
Minneapolis, MN 55405  
(612) 344-4740

---

SEC. 30, T. 117, R. 21  
HENNEPIN COUNTY  
MINNESOTA

---

ALTA LAND TITLE SURVEY  
PROJECT

**THE LINCOLN**  
EDINA, MINNESOTA

---

SHEET TITLE

DRAWN BY  
*FEA*

CHECKED BY  
J.V.C.

DATE  
JULY, 1990

PROJECT NO.  
90103

SHEET NO.  
**2**

OF 2 SHEETS