

**2/16/99 VACATION OF PORTION OF W
41st ST ADJACENT TO 4024
GRIME AVE.**



AFFIDAVIT OF PUBLICATION

City of Edina

(Official Publication)

CITY OF EDINA

3801 WEST 50TH STREET

EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON

VACATION OF PORTION OF WEST 41st STREET -

4024 GRIMES AVENUE

IN THE CITY OF EDINA

HENNEPIN COUNTY MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on February 16, 1999 in the Council Chambers at 4801 West 50th Street for a public hearing for the proposed vacation of the following public street:

The northerly thirty (30) feet of the unimproved portion of West 41st Street as platted in Morningside Oaks, South of Lot 9, Block 2, Morningside Oaks, according to the plat thereof on file or of record in the office of the Registrar of Titles, Hennepin County, Minnesota.

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

Dated this 19th day of January, 1999

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangan, City Clerk

(Feb. 3 & 10, 1999)D1/4024grimes

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

Frank Chilinski, being duly sworn on an oath states or affirms, that he is the publisher of the newspaper known as Sun-Current, or the president's designated agent, and has full knowledge of the facts stated below:

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

(B) The printed public notice that is attached was published in the newspaper once each week, for two successive weeks; it was first published on Wednesday, the 3 day of February, 1999, and was thereafter printed and published on every Wednesday to and including Wednesday, the 10 day of February, 1999; 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:

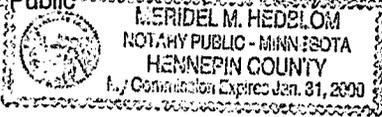
abcdefghijklmnopqrstuvwxyz

[Signature]
Publisher

Subscribed and sworn to or affirmed before me on this 10 day of Feb, 1999.

[Signature]

Notary Public



RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space \$ 2.55 per line
- (2) Maximum rate allowed by law \$ 6.20 per line
- (3) Rate actually charged \$ 1.30 per line

3139610

COPY

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FILED ON

MAR 30 1999

Upm

Michelle St. Germain
REGISTRAR OF TITLES
BY _____ DEPUTY

*Donny & Anthony
de St Allen*

**NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF PUBLIC RIGHT-OF-WAY
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on January 4, 1999 adopted a Resolution Vacating the Public Right of Way Easement subject to Reservation by the City of an Easement over a Portion thereof, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for street purposes, retaining sanitary sewer and drainage easement all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

The northerly thirty (30) feet of the unimproved portion of West 41st Street as platted in Morningside Oaks, South of Lot 9, Block 2, Morningside Oaks, according to the plat thereof on file or of record in the office of the Registrar of Titles, Hennepin County, Minnesota.

Said vacation did not affect, and there was continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of the City of Edina, Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

The time of completion of proceedings and the effective date of said vacation is 16th day of February, 1999.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Delia A Manger

City Clerk

Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 22nd day of March, 1999.



Jane M Timm

Notary Public

This document was drafted by:

City of Edina
4801 West 50th Street
Edina, MN 55424

COPY

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY, MINNESOTA
REGISTERED FILED ON

MAR 30 1999

Wendy J. Cooney
REGISTRAR OF TITLES
DEPUTY

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ON VACATION OF PUBLIC RIGHT-OF-WAY
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

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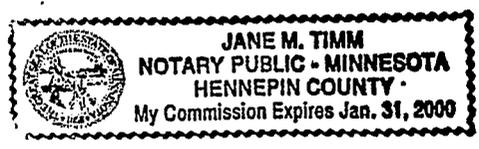
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CITY OF EDINA

Delia A. Mangen
City Clerk

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Jane M. Timm
Notary Public

This document was drafted by:

City of Edina
4801 West 50th Street
Edina, MN 55424



City of Edina

March 22, 1999

Mr. Jerry Gilligan
Dorsey & Whitney
220 South 6th Street
Minneapolis, MN 55402-1498

RE: Notice of Completion for Street Vacation - West 41st Street, 4024 Grime
Ave.

Dear Jerry:

I am enclosing two Notices of Completion for the vacation the City Council approved
on February 16, 1999.

Please have the Notice of Completion entered in the transfer record of the county
Auditor and filed with the County Recorder and then return the recorded document
to me.

Sincerely,


Debra A. Mangen
City Clerk

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ON VACATION OF PUBLIC RIGHT-OF-WAY
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

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BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Delia A. Mangen
City Clerk

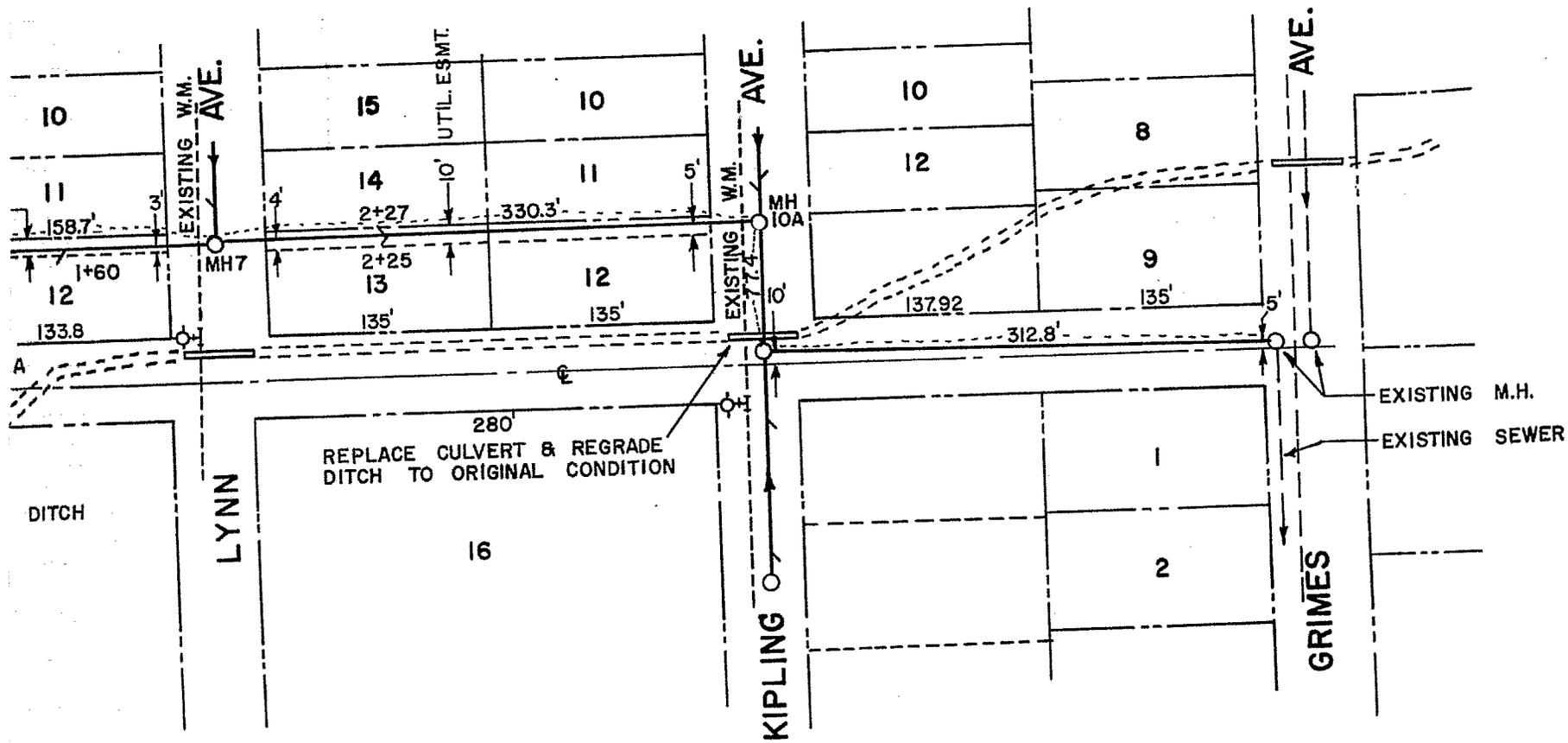
Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 22nd day of March, 1999.

This document was drafted by:

City of Edina
4801 West 50th Street
Edina, MN 55424



Jane M. Timm
Notary Public





City Of Edina, Minnesota
DEPARTMENT OF ADMINISTRATION

4801 West 50th Street, Edina, Minnesota 55424-1394
Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

PUBLIC RIGHT OF WAY VACATION APPLICATION

Applicant Donald chi-keung Liu
Print Name

Address 4024 Grimes Ave South, Edina, MN 55416
Street City/State Zip

Telephone No. 844-7401 Fax No. _____

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way pursuant to M.S. 412.851 and Edina Code Section 820:

- Street
- Alley
- Utility Easement
- Drainage Easement
- Other _____

Legal description of the area proposed to be vacated:

The northerly 30 feet of the unimproved portion of West 41 st street as plotted in Morningside Oaks, south of Lot 9, Block 2, Morningside Oaks.

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? Yes No

Please note if the area requested to be vacated terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition is served by certified mail upon the commissioner of natural resources by the City of Edina thirty days before any Council action.

Attach a copy of a scaled drawing showing in full detail the area proposed to be vacated.

Date Initiated Jan 5, 1999 Signature Donald chi-keung Liu

CITY OF EDINA

4201 WEST 50TH ST
EDINA, MN 55424

Trx: 018334 Reg: 001 01/06/99 14:31
Cashier: 417

RECEIPT PRINTED ON REQUEST

ENGINEERING FEES	300.00
Subtotal	300.00

TOTAL	300.00
CHECK	300.00

Item Count: 1

Happy New Year!
May 1999 be a healthy
and happy year for you!

Thank You!



City Of Edina, Minnesota

DEPARTMENT OF ADMINISTRATION

4801 West 50th Street, Edina, Minnesota 55424-1394

Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: Portion of West 41st Street adjacent to Grimes Ave

City Engineer by <u><i>[Signature]</i></u>	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input checked="" type="checkbox"/> Conditional
Minnegasco by _____	<input 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
U.S. West by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions: Subject to utility easements for sanitary sewer and overhead drainage

Location: _____

Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424
Telephone: 826-0408
Fax: 826-0390



City of Edina

January 28, 1999

Mike

Mr. Darrell Perkins
U.S. West Communiations
6244 Cedar Avenue So.
Richfield, MN 55423

Re: Vacation of a portion of West 41st Street adjacent to 4024 Grimes Avenue

Dear Darrell:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on February 16, 1999. I would very much appreciate your response by Tuesday, February 9, 1999, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

Debra Mangen
Debra Mangen
City Clerk

Enclosures

4009
 4010
 4012
 4014
 4016
 4018
 4020
 4022
 4024
 4026

4009
 4011
 4013
 4015
 4017
 4019
 4021
 4023
 4025

ADDN

4005
 4007
 4011
 4016
 4020
 4004
 4008
 4012
 4075

PLS NO 850

INGLEWOOD

4101
 4105
 4109
 4112
 4116
 4120
 4124

4101
 4105
 4109
 4112
 4116
 4120
 4124

MORNINGSIDE

GRIMES

WILLIAM SCOTT'S ARM
 PETERSON REPLAT 3

4106
 4102
 4108
 4112
 4116
 4120
 4124

PLS NO 1517



City Of Edina, Minnesota
DEPARTMENT OF ADMINISTRATION
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Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: Portion of West 41st Street adjacent to Grimes Ave

- City Engineer by [signature] [] Acceptable [] Opposed [] Conditional
Minnegasco by [signature] 1-29-99 [X] Acceptable [] Opposed [] Conditional
NEP by [] Acceptable [] Opposed [] Conditional
Paragon Cable by [] Acceptable [] Opposed [] Conditional
U.S. West by [] Acceptable [] Opposed [] Conditional

Conditions: []

Location: []

Please sign and return indicating receipt of notice. Thank you for your cooperation.

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- | | | | |
|-------------------------------------|--|----------------------------------|--------------------------------------|
| 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 |
| NCP 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 |
| US West by <u>Michael W Johnson</u> | <input checked="" type="checkbox"/> Acceptable | <input type="checkbox"/> Opposed | <input type="checkbox"/> Conditional |

Conditions:

Location:

Please sign and return indicating receipt of notice. Thank you for your cooperation.

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 Edina, MN 55424
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STREET AND/OR EASEMENT VACATION REVIEW

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Minnegasco by [blank] [] Acceptable [] Opposed [] Conditional
NSP by [blank] [] Acceptable [] Opposed [] Conditional
Paragon Cable by [signature] [x] Acceptable [] Opposed [] Conditional
U.S. West by [blank] [] Acceptable [] Opposed [] Conditional

Conditions: [blank lines]

Location: [blank lines]

Please sign and return indicating receipt of notice. Thank you for your cooperation.

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City Of Edina, Minnesota
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Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by <u><i>Shy Higgins</i></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
U.S. West by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions: _____

Location: _____

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Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424
Telephone: 826-0408
Fax: 826-0390



City of Edina

January 28, 1999

Mr. Steven Von Bargaen
Minnegasco, Inc.
P.O. Box 1165
Minneapolis, MN 55440-1165

Re: Vacation of a portion of West 41st Street adjacent to 4024 Grimes Avenue

Dear Steven:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on February 16, 1999. I would very much appreciate your response by Tuesday, February 9, 1999, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

Debra Mangen
City Clerk

Enclosures



City of Edina

January 28, 1999

Mr. Darrell Perkins
U.S. West Communications
6244 Cedar Avenue So.
Richfield, MN 55423

Re: Vacation of a portion of West 41st Street adjacent to 4024 Grimes Avenue

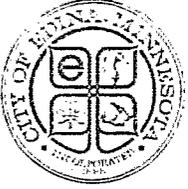
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Sincerely,


Debra Mangen
City Clerk

Enclosures



City of Edina

January 28, 1999

Mr. Patrick Cline
Norther States Power Company
5309 West 70th Street
Edina, MN 55435

Re: Vacation of a portion of West 41st Street adjacent to 4024 Grimes Avenue

Dear Patrick:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on February 16, 1999. I would very much appreciate your response by Tuesday, February 9, 1999, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,


Debra Mangen
City Clerk

Enclosures



City of Edina

January 28, 1999

Mr. Andrew Dols
Paragon Cable
10210 Crosstown Circle
Eden Prairie, MN 55435-3377

Re: Vacation of a portion of West 41st Street adjacent to 4024 Grimes Avenue

Dear Andrew:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on February 16, 1999. I would very much appreciate your response by Tuesday, February 9, 1999, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,


Debra Mangen
City Clerk

Enclosures

(Official Publication)
CITY OF EDINA
3801 WEST 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING ON
VACATION OF PORTION OF WEST 41ST STREET -
4024 GRIMES AVENUE
IN THE CITY OF EDINA
HENNEPIN COUNTY MINNESOTA

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Dated this 19th day of January, 1999

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

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

CERTIFICATE OF POSTING NOTICE

I, the undersigned duly appointed and acting Community Service Officer 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 Notice of Public Hearing - Street Vacation. At each of the official City bulletin boards, located at conspicuous places within the City as follows:

- 1) City Hall, 4801 West 50th Street
- 2) Municipal Liquor Store, 50th and France Business Area
- 3) Centennial Lakes Park Centrum, 7499 France Avenue South

Dated 02-02-99 Signed Jeffrey Tomaszewski #218

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this
2nd day of February, 1999.

Nancy A. Hagfors



9/97

Interoffice Memo

Date: February 1, 1999

To: Bill Bernhjelm

 **From:** Deb Mangen

RE: Posting Public Hearing Notice

I have attached three notices of the year end meeting that need to be posted by as soon as possible.

I have also attached a certificate of posting that needs to be completed by the officer who actually posts the notices. The certificate needs to be returned to my office.

Once again, thanks for you help in this matter. I really appreciate it.

Attachments

(Official Publication)
CITY OF EDINA
3801 WEST 50TH STREET
EDINA, MINNESOTA 55424
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Dated this 19th day of January, 1999

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

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 29, 1999, acting on behalf of said City I deposited in the United States mail copies of the attached: Notice of Public Hearing - Vacation of Public Street Right of Way Easement (Exhibit A) enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of 10 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.

WITNESS my hand and seal of said City this 29th day of January, 1999.



Edina City Clerk

07-028-24-15-0100

Chi Keung Liu
Miriam Gong
4024 Grimes Ave
Edina, MN 55416

07-028-24-13-0101

Kathryn Gray
4100 Grimes Ave
Edina, MN 55416

07-028-24-13-0099

Shawn & Karen Mingus
4022 Grimes Ave
Edina, MN 55416

07-028-24-14-0019

1st Christian Reformed Church
4075 Inglewood Ave
Edina, MN 55416

07-028-24-14-0019

Current Resident
4075 Inglewood Ave
Edina, MN 55416

07-028-24-13-0022

Catherine & Momammed Yamoor
4023 Kipling Ave
Edina, MN 55416

07-028-24-13-0023

Paul Domholt
Laura Hodge-Domholt
4025 Kipling Ave
Edina, MN 55416

07-028-24-13-0124

James & Jacquelynn Olson
4101 Kipling Ave
Edina, MN 55416

07-028-24-14-0002

City of Edina
4801 W 50th St
Edina, MN 55424

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