

7/10/78 STREET & UTILITY EASEMENT  
Portion of Amundson Ave.

5/16/80

Invalid / Action Void

Per Fran H.

Note - This vacation is  
not effective until build-  
ing permits are issued  
for property to the east -

Louise Hallberg

7/30/78

5/18/80 - Property option expired -

MADEEN

GRAEFMAR  
OUT LOT A

OAKS  
LOT 1, BLOCK 1

ROAD  
ROAD

383.82

1327.62  
N89°55'17"E

383.66  
N89°55'19"E

EL: 462453  
AT: 195.03  
EA: 374.00  
ER: 460.05

EL: 26°35'09"  
AT: 182.32  
EA: 1377.70  
ER: 014.0

1326.51  
N89°55'19"E

847

73°10'02"

106°49'53"

5549

311.03

TEMPORARY STREET ACQUISITION  
EASEMENT -  
EDINA TO MADEEN

479

331.95

Doc # 3712218

(7.8 ac)

(9.3 ac)

To BE

331.95

No  
Sec

July 6, 1978

MEMORANDUM

TO: Kenneth Rosland, City Manager  
FROM: Gordon L. Hughes, City Planner  
SUBJECT: Amundson Avenue Roadway and Utility Easement Vacation.

The subject easement is located over the property controlled by Lanvesco, Inc. Preliminary rezoning to PRD-3 was granted by the Council on June 19, 1978, to allow the construction of 96 condominium units on this property. Due to the design of the development, the vacation of the subject easements would be necessary.

Staff recommends the vacation of the subject easements provided, however, that the vacation of said easements shall not become effective until the owner of the property immediately east of and abutting on said easement has obtained a building permit from the City for the construction of 96 apartment units in two buildings pursuant to an Overall Development Plan as may have been approved by the City Council in conjunction with a Planned Residential District rezoning as may then have been granted by the City Council pursuant to Ordinance No. 811. Provided further, however, that until said permit has been obtained, the City Council may amend, rescind, or modify the resolution vacating said easement.

GLH:nr

cc: Mayor and Council

1/1/74

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

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date June 23, 1978, acting on behalf of said City I deposited in the United States mail copies of the attached \_\_\_\_\_

Notice of Basement 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 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.

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

WITNESS my hand and the seal of said City this 23 day of June, 19 78.

Glenn B. Hallberg  
Edina City Clerk

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

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

FOR PORTION OF AMUNDSON ROAD

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 St., on July 10, 1978, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility and road purposes:

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All persons who desire to be heard with respect to the question of whether or not the above proposed 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 this 23rd day of June, 1978

Mailing List - Notice of Public Hearing  
Utility & Roadway Easement Vacation  
Am

Orville Madsen & Son, Inc  
P.O. Box 7760, Madison, Wis. 53707

Lanuesco - Suite 470 - 6600 France Ave So.

M.S.A. - (Stephens)  
Minnesota Gas Co - (Schramm)  
N.W. Bell (Parsons)

Findell's 2nd Add.

Bl 1 2 1 & 2

2 2 1

Roger Findell

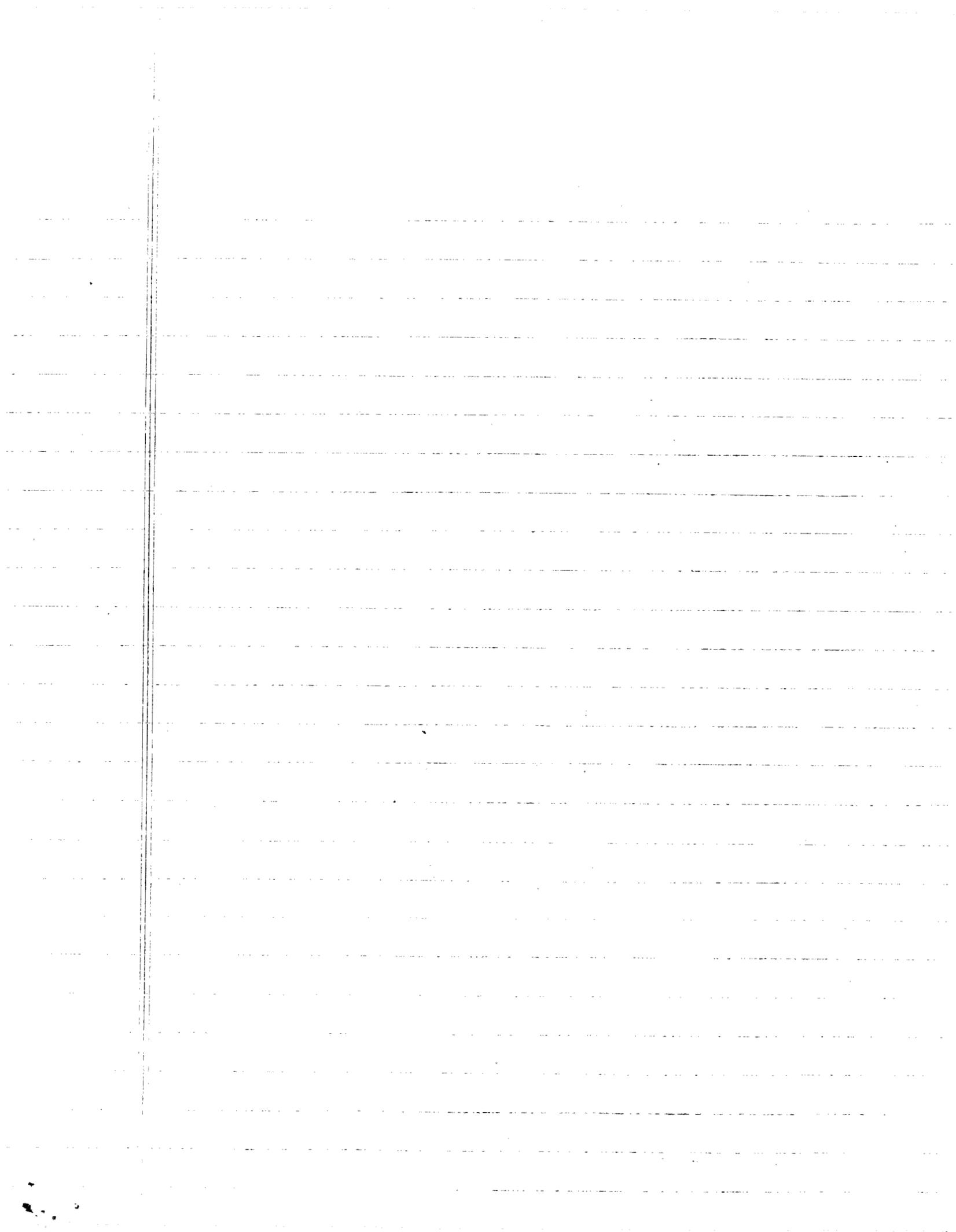
7301 Sehey Dr.

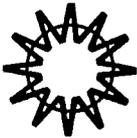
Braemar Oaks

Bl. 2 1

Braemar Oaks, Inc. 7160 Cahill Rd

R. Lawrence Johnson - 7105 Lanham Ln  
Stephen Winnick - 7117 Lanham Ln.





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)  
 CITY OF EDINA  
 4801 W. 50th STREET  
 EDINA, MINNESOTA 55424  
 NOTICE OF PUBLIC HEARING  
 ON VACATION OF EASEMENT  
 FOR ROAD AND UTILITY  
 PURPOSES  
 IN THE CITY OF EDINA,  
 HENNEPIN COUNTY,  
 MINNESOTA  
 FOR PORTION OF AMUNDSON  
 ROAD

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All persons who desire to be heard with respect to the question of whether or not the above proposed 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 of 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  
 (June 28 & July 5, 1978) - ED

Portion of Amundson Road  
 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 28 day of June, 19 78

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

Wed the 5 day of July, 19 78 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

*J.R. Ritchay*

Subscribed and sworn to before me this 5 day of July, 19 78

*Phyllis S. Barton*  
 PHYLIS S. BARTON  
 NOTARY PUBLIC - MINNESOTA  
 HENNEPIN COUNTY  
 My Commission Expires Aug. 18, 1984

File No. \_\_\_\_\_

**Affidavit of Publication**

 **EDINA SUN**

**Edina, Minnesota**

**In The Matter Of**

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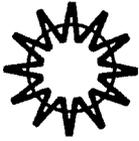
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SUN NEWSPAPERS  
AFFIDAVIT OF PUBLICATION  
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

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County of Hennepin } ss.

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(Official Publication)  
CITY OF EDINA  
4801 W. 50th STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT  
FOR ROAD AND UTILITY  
PURPOSES  
IN THE CITY OF EDINA,  
HENNEPIN COUNTY,  
MINNESOTA  
FOR PORTION OF AMUNDSON  
ROAD

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BY ORDER OF THE EDINA CITY COUNCIL  
FLORENCE B. HALLBERG,  
City Clerk  
(June 28 & July 5, 1978)—ED

Portion of Amundson Road  
Notice of Public Hearing

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*Phyllis S. Barton*  
PHYLLIS S. BARTON  
NOTARY PUBLIC - MINNESOTA  
HENNEPIN COUNTY  
My Commission Expires Aug. 18, 1984

File No. \_\_\_\_\_

**Affidavit of Publication**

 **EDINA SUN**

**Edina, Minnesota**

**In The Matter Of**

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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 this 23rd day of June, 1978



**(Official Publication)**

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

Please publish in the Edina Sun on June 28 and July 5, 1978.  
Please send us one Affidavit of Publication.  
Please send us one clipping.

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

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

---

The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on June 23, 1978, he posted the notice of hearing on vacation of easement(s) to be held on July 10, 1978, 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:

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---

Police Patrolman

Subscribed and sworn to before me,  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

---

Notary Public, Hennepin County, Minnesota  
My commission expires:

This is the description for the  
American Ave. Vacation  
EXHIBIT B  
1276

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All according to the United States Government survey, and to the recorded plat, Hennepin County, Minnesota.

Roadway

Utility Easement

Daniel Maassen - Son Inc - P O Box 7760  
- Const Co - Madison 53707

Lanuesco - Suite 470 - 6600 France

Outlot A City

~~Braemar Oaks~~ Inc 7160 Cabell Bldg

STREET AND/OR EASEMENT VACATION REVIEW

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

CONDITIONS \_\_\_\_\_

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

CONDITIONS \_\_\_\_\_

NORTHWESTERN BELL by G.T. Loash  Acceptable  Opposed  Conditional  
6/28/78

CONDITIONS \_\_\_\_\_

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

CONDITIONS \_\_\_\_\_

LOCATION \_\_\_\_\_

AMUNDSON AVE. - AS ATTACHED

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

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

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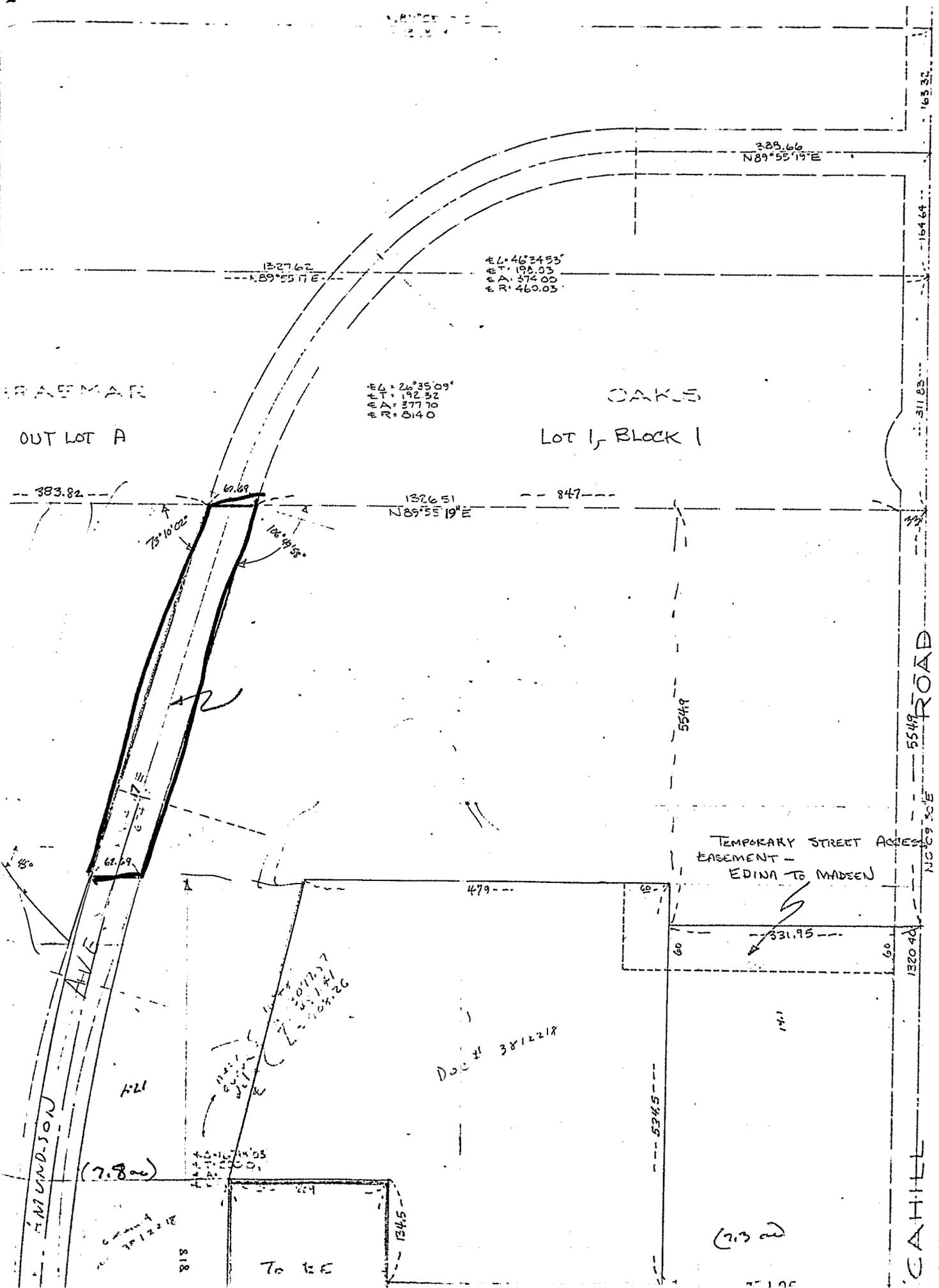
BY ORDER OF THE EDINA CITY COUNCIL

Florence B. Hallberg,  
City Clerk

Dated this 23rd day of June, 1978

RAEF MAR  
OUT LOT A

OAKS  
LOT 1, BLOCK 1



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--- N89°55'19\"

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TEMPORARY STREET ACROSS  
EASEMENT -  
EDINA TO MADSEN

479

60

331.95

60

1320.40

MUNDSON  
AVE

ROAD

5549  
N89°55'19\"

CAGHILL

Doc # 3812218  
10/17/27  
10/18/27  
10/19/27  
10/20/27  
10/21/27  
10/22/27  
10/23/27  
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10/25/27  
10/26/27  
10/27/27  
10/28/27  
10/29/27  
10/30/27  
10/31/27

(7.80)

818

To BE

134.5

5345

(7.13)

RH

STREET AND/OR EASEMENT VACATION REVIEW

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

CONDITIONS \_\_\_\_\_

MINNEGASCO by Wm. J. Johnson 6/27/78  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

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

CONDITIONS \_\_\_\_\_

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

CONDITIONS \_\_\_\_\_

LOCATION AMUNDSON AVE. - AS ATTACHED

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

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

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

FOR PORTION OF AMUNDSON ROAD

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 St., on July 10, 1978, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility and road purposes:

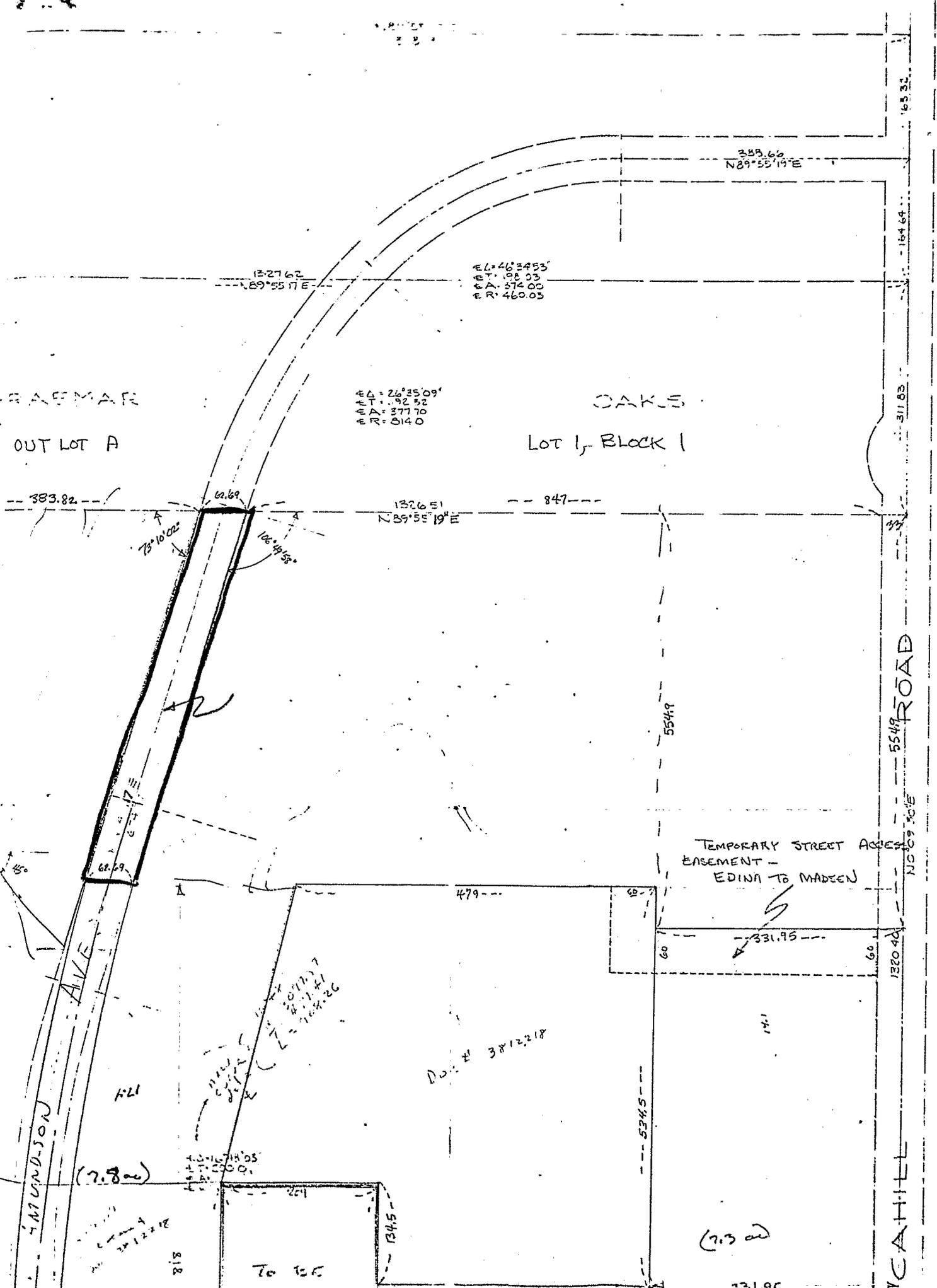
That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County, Minnesota

All persons who desire to be heard with respect to the question of whether or not the above proposed 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 this 23rd day of June, 1978



RAEFMAR  
OUT LOT A

OAKS  
LOT 1, BLOCK 1

TEMPORARY STREET ACCESSION  
EASEMENT -  
EDINA TO MADSEN

MADSEN AVENUE

CASHILL ROAD

E.L. 463453  
E.T. 108.03  
E.A. 374.00  
E.R. 460.00

E.L. 263509  
E.T. 192.52  
E.A. 377.70  
E.R. 514.0

E.L. 161305  
E.T. 111.00  
E.A. 200.00

NEW  
EASEMENT  
L = 168.26

Doc # 3812218

(7.8 ac)

(7.3 ac)

To 150

331.95

818

1411

1411

73°10'02"

106°19'15"

1327.62  
N89°55'17"E

1326.51  
N89°55'19"E

353.60  
N89°55'19"E

383.82

847

554.9

479

60

60

60

331.95

1320.42

165.32

154.64

311.83

554.9

N89°55'19"E

506

500

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. Beckwith  Acceptable  Opposed  Conditional

CONDITIONS \_\_\_\_\_

LOCATION Amundson Ave. as attached

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

PLAN ET 10-28-19

RAEMAR  
OUT LOT A

OAKS  
LOT 1, BLOCK 1

383.82

73°10'02"

62.69

1326.51  
N89°55'19"E

847

62.29

479

5549

TEMPORARY STREET ACROSS  
EASEMENT -  
EDINA TO MADSEN

331.95

D=H 38'12.218

60.16 38.05  
T. 2309

(7.8 ac)

To BE

331.95

MUNDSON AVE

5549 ROAD  
311.03  
164.64  
165.32  
1320.40  
5345

∠A = 26°35'09"  
∠B = 192°32'  
∠C = 371°70'  
∠R = 0°40'

EL. 462453  
ET. 192.03  
EA. 374.00  
ER. 460.05

383.66  
N89°55'19"E

818  
38'12.218

00  
00

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

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

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The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on June 23, 1978, he posted the notice of hearing on vacation of easement(s) to be held on July 10, 1978, a true and correct copy of which is hereto attached, at each of the following public and conspicuous places within the City in a manner likely to attract attention:  
1. City Hall, 4801 W. 50th Street 2. 50th & France Business Area, 3922 W. 50th Street 3. Amundson Avenue Shopping Center.

Said easement(s) being described as follows:

That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County, Minnesota

Stephen Menster

Police Patrolman

Subscribed and sworn to before me,  
this 23 day of June, 1978.

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

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

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

FOR PORTION OF AMUNDSON ROAD

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 St., on July 10, 1978, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility and road purposes:

That part of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 116, Range 21, described as follows: Beginning at the Southwest corner of Lot 1, Block 1, Braemar Oaks; thence Southwesterly at an angle of 106° 49' 58" as turned clockwise from the South line of said Lot 1 to an intersection with a line 818 feet Northerly of and parallel with the South line of said Southwest 1/4 of the Northeast 1/4; thence West a distance of 62.69 feet; thence Northeasterly to the Southeast corner of Outlot A, Braemar Oaks; thence Easterly to the point of beginning. All according to the United States Government survey, and to the recorded plat, Hennepin County, Minnesota

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