

ALLEY VACATIONS 11/24/47
Between Drew Ave. and Ewing Ave. &
between W. 57th & W. 58th Streets



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

March 30, 1979

Mr. Jeffrey M. Smith
1400 Soo Line Building
Minneapolis, MN 55402

Dear Mr. Smith:

Enclosed as you requested is a certified copy of the resolution adopted by the Edina City Council at its meeting of November 24, 1947, vacating the alley between Drew Avenue and Ewing Avenue and W. 57th and W. 58th Streets.

Yours very truly,

Lawrence B. Hallberg
City Clerk

enclosure

portion of the road which was blacktopped, and is now torn up, will be repaired at Village cost. They were informed that road would be repaired without cost to individual taxpayers, but that it would be advisable for the people between Xerxes and Zenith to petition at once if they wish blacktop in the Spring; and that these petitioners must pay for their blacktopping. There were no objections to the assessment, and no objections, either oral or written, had been received by the Clerk prior to the hearing. Willson offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING ASSESSMENT
WATER MAIN IMPROVEMENT NO. 13

WHEREAS, proposed assessment for the cost of the improvement of Zenith Avenue between W. 55th and W. 57th Streets by construction of Village Water Main Extension therein has been duly filed with the Village Clerk and open to public inspection, and notice has been published in the Suburban Press, Hopkins, Minnesota, November 14, 1947, and that this Council will pass upon said proposed assessment at this present meeting, and this Council will pass upon said proposed assessment at this present meeting, and this Council has met at the time and place specified in said notice, and heard and passed upon all objections thereto, now therefore,

BE IT RESOLVED by the Village Council of the Village of Edina that said proposed assessment, which is hereby referred to and made a part hereof, is hereby adopted, and an assessment is hereby levied against each of the lots, parts of lots, pieces and parcels of land described therein in the sums therein respectively set forth; and each of said tracts of land is hereby found to be benefited in the amount of the assessment levied against it herein:

BE IT FURTHER RESOLVED that each assessment shall be payable in equal annual installments extending over a period of ten years, the first to be payable on the first day of January, 1949, all deferred payments are to bear interest at the rate of five percent per annum. Said assessments and interest shall be a lien upon the property therein specified concurrent with general taxes as authorized by Chapter 65, Laws of Minn. 1919, as amended.

Motion to adopt the Resolution was seconded by Child, and on Rollcall there were four ayes and no nays, as follows: Child, aye; Willson, aye; Hawthorne, aye; and Christopher, aye; and the Resolution was adopted.

ATTEST:

Bonnie Hawthorne
Village Clerk

President of the Village Council

Pursuant to "Notice of Hearing on Petitions to Vacate Alleys," posted on three official bulletin boards November 13, 1947, and published in the Suburban Press, Hopkins, Minnesota, on November 14, 1947, Affidavit of Publication for which was read by Clerk, approved as to form and placed on file, public hearing was had on petitions for vacation of the following alleys:

1. North-South Alley between Beard and Chowen Avenues from W. 57th to W. 58th St;
2. North-South Alley between Chowen and Drew Avenues from W. 57th to W. 58th St;
3. North-South Alley between Drew and Ewing Avenues from W. 57th to W. 58th St.

Messrs. Willson and Smith recommended that the alleys be vacated, Mr. Smith requesting that an easement of ten feet, in the center of each alley, be reserved by the Village for public utilities purposes. A delegation headed by Mr. W. F. Kennedy asked what effect such easement would have on fences. They were told that fences could be built to the center line of the alleys vacated, but that permanent buildings could not be put up on property reserved; that if and when public utilities were installed, the companies would be obligated to replace such fences as were damaged by them. There was no objection to the vacation of any of the above named alleys, nor to the reservation of the ten-foot easement; and no objections had been filed with the Clerk prior to the hearing. Child offered the following Resolution and moved its adoption:

RESOLUTION VACATING ALLEYS

WHEREAS, a majority of the owners of the land abutting on the alleys herein-after described, in the Village of Edina, Hennepin County, Minnesota, have petitioned for the vacation of said alleys; and

WHEREAS, one week's published notice and posted notice of hearing to be had on said petitions on November 24, 1947, at 8:00 P. M., has been given and made; and a hearing has been had thereon by the Village Council,

NOW THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hennepin County, Minnesota, that

Those certain alleys described as follows:

11/24/47

1. That certain alley running a northerly and southerly direction and lying between the westerly lot line of Lots One(1) to Eight (8) inclusive, Block One (1), Brookline First Addition, and the easterly lot line of Lots Nine (9) and Seventeen (17), Block One (1) Brookline First Addition; (North-South Alley between Beard and Chowen 57th to 58th St.)
2. That certain alley running in a northerly and southerly direction and lying between the westerly lot line of Lots One (1) to Seven (7) inclusive, Block 2, Goldsmith's Addition, Lots One (1) to Four (4) inclusive, Block 2, Brookline First Addition, and Lot Seven (7) Block 2, Abercrombie's Addition, and the easterly lot line of Lots Eight (8) to Eleven (11) inclusive, Block 2, Abercrombie's Addition, Lots Five (5), Six (6), and Seven (7), Block 2, Brookline First Addition, Lot Eight (8), Block 2, Goldsmith's Addition, and Lots Eight (8) to Eleven (11) inclusive, Block 2, Brookline First Addition; (North-South Alley between Chowen and Drew-57th to 58th St.)
3. That certain alley running in a northerly and southerly direction and lying between the westerly lot line of Lots One (1) to Seven (7) inclusive, Block 3, Goldsmith's Addition and Lots One (1) to Five (5), Block 3, Brookline First Addition, and the easterly lot lines of Lots Eight (8) and Nine (9), Block 3, Abercrombie's Addition, Lots Six (6) to Nine (9) inclusive, Block 3, Brookline First Addition, and Lots Eight (8) to Fourteen (14) inclusive, Block 3, Goldsmith's Addition; (North-South Alley between Drew and Ewing-57th to 58th St.)

shall be, and hereby are vacated; provided that said Village excepts from this vacation proceedings and reserved unto itself and its assigns an easement for all public utility purposes, including, without limiting the general nature of said reservation, an easement for electric, gas, sewer, water, and telephone equipment, on, over and under the center ten feet in width of each of the alleys hereby vacated.

Motion to adopt the Resolution was seconded by Willson, and on Rollcall there were four ayes and no nays, as follows: Child, aye; Willson, aye; Hawthorne, aye; and Christopher, aye; and the Resolution was adopted.

ATTEST:

B. Hawthorne
Village Clerk

President of the Village Council

Clerk Hawthorne read supplementary petition for the blacktopping of Bedford Avenue between Interlachen Blvd. and 51st Street, dated October 20 and signed by the owner of Lot 1, Block 4, Brookside Heights, which brings percentage of property signed to 58.8. Mr. Willson recommended acceptance of petition and public hearing, in order that work may go forward speedily in the Spring. Motion by Child accepting petition for the blacktopping of Bedford Avenue between Interlachen Boulevard and W. 51st Street, setting hearing for January 12, 1948, and directing Clerk to publish notice of such hearing, was seconded by Willson and carried.

Letter of November 14, from State of Minnesota Department of Taxation, citing immediate rejection of Village's application of November 11, 1946, for Tax Forfeited Lands to be used for Park Purposes, Unless Council wishes hearing on this matter, was read. Letter from Park Board Chairman Clark, to the effect that the Park Board is most anxious to secure Lot 2, Block 3, West Minneapolis Heights, was read. Motion by Child authorizing and directing Administrative Office to inform State Tax Commission that Village Council will abide by State's decision, with the exception that the Village does wish to acquire Lot 2, Block 3, West Minneapolis Heights, was seconded by Hawthorne and carried.

Hawthorne moved confirmation of the following appointments for election officers to serve at the annual Village election to be held December 2, 1947:

DISTRICT #1: Mrs. W. H. Schmitt, 4909 Maple Road; Mrs. H. E. Sanders, 4615 Casco Avenue; Mrs. Franklin McWhorter, 4613 Drexel Avenue; Mrs. Clarence Groettum, 4908 Bruce Avenue; Mrs. O. C. Link, 4524 Drexel Avenue.

DISTRICT #2: Mrs. S. McGready, 5503 France Avenue; Mrs. Beard, 5502 France Avenue; Mrs. Victor Irgens, 5055 Halifax Avenue; Mrs. Alma Duus, 5805 Wooddale Avenue; Mrs. Clarice Hollingsworth, 5304 Halifax Avenue.

DISTRICT #3: Mrs. M. C. Holter, Bernard & Benton; Mrs. Frances Sonnenberg, 5002 Moore Avenue; Mrs. Nellie Strate, 5216 Division Street; Mrs. R. Westerberg, 6301 Tingdale Ave; Mrs. F. C. Obermoyer, 5716 Normandale.

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

CERTIFICATE OF CITY CLERK

I, the undersigned, being the duly qualified and acting City Clerk of the City of Edina, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original minutes on file and of record in my office, and that the same is a full, true, and correct transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated.

WITNESS my hand and seal of said City this 30th day of March,
19 29.

Lawrence B. Hallberg
City Clerk

RESOLUTION VACATING ALLEY

WHEREAS, a majority of the owners of the land abutting on the alleys hereinafter described, in the Village of Edina, Hennepin County, Minnesota, have petitioned for the vacation of said alleys; and

WHEREAS, one week's published notice and posted notice of a hearing to be had on said petitions on November 24, 1947, at 8:00 P.M., has been given and made; and a hearing has been had thereon by the Village Council,

NOW THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hennepin County, Minnesota, that

Those certain alleys described as follows:

1. That certain alley running in a northerly and southerly direction and lying between the westerly lot line of Lots One (1) to Eight (8) inclusive, Block One (1), Brookline First Addition, and the easterly lot line of Lots Nine (9) and Seventeen (17), Block One (1) Brookline First Addition;
2. That certain alley running in a northerly and southerly direction and lying between the westerly lot line of Lots One (1) to Seven (7) inclusive, Block 2, Goldsmith's Addition, Lots One (1) to Four (4) inclusive, Block 2, Brookline First Addition, and Lot Seven (7) Block 2, Abercrombie's Addition, and the easterly lot line of Lots Eight (8) to Eleven (11) inclusive, Block 2, Abercrombie's Addition, Lots Five (5), Six (6), and Seven (7), Block 2, Brookline First Addition, Lot Eight (8), Block 2, Goldsmith's Addition, and Lots Eight (8) to Eleven (11) inclusive, Block 2, Brookline First Addition;
3. That certain alley running in a northerly and southerly direction and lying between the westerly lot line of Lots One (1) to Seven (7) inclusive, Goldsmith's Addition and Lots One (1) to Five (5), Block 3, Brookline First Addition, and the easterly lot lines of Lots Eight (8) and Nine (9), Block 3, Abercrombie's Addition, Lots Six (6) to Nine (9) inclusive, Block 3, Brookline First Addition, and Lots Eight (8) to Fourteen (14) inclusive, Block 3, Goldsmith's Addition;

shall be, and hereby are vacated; provided that said Village excepts from this vacation proceedings and reserves unto itself and its assigns an easement for all public utility purposes, including, without limiting the general nature of said reservation, an easement for electric, gas, sewer, water, and telephone equipment, on, over and under the center teen feet in width of each of the alleys hereby vacated.

ATTEST:

President of the Village Council

Village Clerk

Adopted Nov 24, 1947

*See also minutes of
11/28/63*