

CITY OF GRAND MARAIS, MINNESOTA  
CITY COUNCIL RESOLUTION 2017-13

A RESOLUTION VACATING A PORTION OF 13TH AND 14TH AVENUE UPON  
PETITION OF A MAJORITY OF ABUTTING LANDOWNERS.

WHEREAS, a petition signed by the majority of property owners abutting a portion of 13<sup>th</sup> and 14<sup>th</sup> Avenue W was received by the City Clerk on the 17th day of March, 2017 and

WHEREAS, the petition requested that the City Council pursuant to Minnesota Statute §412.851 vacate a portion of 13<sup>th</sup> Avenue W and 14<sup>th</sup> Avenue W legally described as:

*That part of Prospect Avenue (now called Thirteenth Avenue W) lying northerly of the north right of way line of Duluth Street (now called Second Street);. AND,  
That part of Florida Avenue (now called Fourteenth Avenue W) lying northerly of the north right of way line of Duluth Street (now called Second Street).*

WHEREAS, the City Clerk reviewed and examined the signatures on said petition and determined that such signatures constituted a majority of the landowners abutting upon the portion of street to be vacated; and

WHEREAS, a public hearing to consider the vacation of such street was held on the 26<sup>th</sup> day of April, 2017, before the City Council in the City Hall located at 15 North Broadway Avenue at 6:30 p.m. after due published and posted notice had been given, as well as personal delivered notice to all affected property owners by the City Clerk on the 24<sup>th</sup> day of March, 2017 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because:

1. The existing street rights of way abut and unplatted property, but fail to provide the appropriate access to the property to allow for its subdivision into useable lots.
2. The vacation will allow the development of workforce housing using an efficient layout.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND MARAIS, MINNESOTA AS FOLLOWS:**

That such petition for vacation is hereby granted and the portion of the street described as follows is hereby vacated:

*That part of Prospect Avenue (now called Thirteenth Avenue W) lying northerly of the north right of way line of Duluth Street (now called Second Street);. AND, That part of Florida Avenue (now called Fourteenth Avenue W) lying northerly of the north right of way line of Duluth Street (now called Second Street).*

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Passed by the City Council of the City of Grand Marais, Minnesota, this 26<sup>th</sup> day of April, 2017.

(SEAL)

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Mayor Jay Arrowsmith DeCoux

ATTEST:

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Michael J. Roth  
City Administrator