

CITY OF DULUTH UDC APPLICATION COVER SHEET

CONTACT INFORMATION:

Applicant/Owner Duluth Public Schools ISD#709
 Phone 218-336-8700 ext3234 Fax 218-336-8709
 Email kerry.leider@duluth.k12.mn.us
 Address 215 North First Avenue East
 City Duluth State MN Zip 55802

Owner's Agent Kerry M. leider
 Phone _____ Fax _____
 Email _____
 Address _____
 City _____ State _____ Zip _____

APPLICATION INFORMATION:

Street Location of Property 24th Avenue West and Fourth Street
 Property Zoning _____
 Proposed Request Alley Vacation (See attached exhibit)

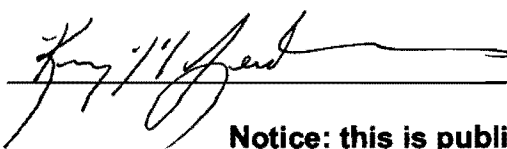
Briefly Describe the Reasons for this Request

Historically several alley ways were not properly vacated prior to construction of building improvements over the top of the platted alleys. This fact is prohibiting the transfer of property.

(Attach additional pages if necessary)

- UDC Text or Zoning Map Amendment - \$800
- District Plan Adoption or Amendment - \$1,000
- Subdivision Plat Approval or Amendment:
 - Concept Plan - \$250
 - Preliminary Plat - \$1000
 - Final Plat - \$750
 - Quick Plat/PLS - \$350
 - Amendment - \$250
- Vacation of Street - \$700
- Concurrent Use of Streets Permit - \$700
- Historic Resource Designation - \$75
- Historic Construction/Demolition Permit - \$50
- Variance - \$600
- Special Use or Interim Use Permit, General - \$650
- Special Use Permit, Wireless Telecommunications
 - Application, Modifying or Co-location - \$2,500
 - Application, New Tower - \$5,000
 - Escrow Deposit - \$8,500
 - Performance Bond, Co-location - \$25,000
 - Performance Bond, Tower Facility - \$75,000
- Planning Review - \$800
- Sidewalk Use Permit - \$100
- Appeal to Planning Commission - \$350
- Appeal to Council - \$350

The undersigned hereby represents upon all of the penalties of law for the purpose of inducing the City of Duluth to take the action herein requested, that all statements herein and attached are true and that all work herein mentioned will be done in accordance with the Ordinances of the City of Duluth and the laws of the State of Minnesota.

Signature of Applicant  Date 4/6/12

Notice: this is public data

Petition to Vacate Street, Alley, or Utility Easement

Name: Duluth Public Schools - ISD #709

Description of street, alley, or easement to vacate: Alley vacation relating to alleys located under existing Boys & Girls Club addition to the Lincoln.

My request for this vacation is to (indicate purpose of vacation):

To allow for sale of school building and property to be re-developed.

The City of Duluth will not need this street, alley, or easement in the future because:

There is currently a building that is constructed over the platted alley and the entire block where the alleys is currently owned by ISD 709

PLEASE TAKE NOTICE: Pursuant to Section 50-37.6 of the Duluth City Code, the above-identified applicant(s) petition the Duluth City Council to vacate the street, alley, or easement described in the attached legal description.

This petition is made upon the following facts and reasons (Identify the factual basis and reasons supporting the petition)¹:

The alley ways are not required based on where they lay relative to existing buildings and land improvements. These alleys are also not needed for utility or pedestrian purposes. The fact they were not vacated prior to building improvements constructed over the top of them is preventing the sale and transfer of the property for redevelopment now that is no longer needed or planned to be used as a school.

This petition is supported by a majority of the person(s) who own a majority of the lineal frontage of the land abutting upon the portion of the public easement proposed to be vacated. A copy of the signatures of these persons is attached hereto and made a part hereof.²

The petitioner(s) agree to provide the city with a plat of the easement(s) as required by Section 50-37.6B(3) of the Duluth City Code upon approval of the vacation. We understand that the vacation cannot occur without the submission of the required plat. We understand that the cost of producing the plat is the responsibility of the petitioner(s). We also understand that the approval will lapse and be of no effect if the plat and clerk certification is not recorded with the county recorder within 90 days after final approval.

Signature(s):  , PROPERTY AND RISK MANAGER

Date: APRIL 6, 2012

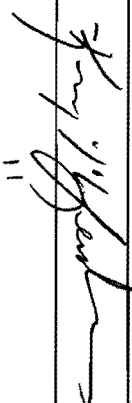
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¹ In order to vacate a public easement it must be demonstrated that the easement is useless for the purpose for which it was dedicated.

² If a property is owned in joint tenancy or by tenants in common, each individual with an ownership interest will be counted to determine if a majority of owners have signed the petition. An owner cannot sign for another owner unless legally authorized to do so, i.e. power of attorney, trustee, or court approved guardianship or conservatorship.

Petition Signature Form

We, the undersigned, do hereby request that the City of Duluth consider vacating: SECTIONS OF ALLEY (ATTACHED EXHIBIT A)

Name (Print)	Signature	Property Address	Lot # (if known)
150-709 KERRY LEONAR		2424 WEST 5TH STREET ''	389, 387, 385 390, 388, 386
''			

399	397	395	393	391	389	387	385
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383	381	379
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5th Street

Lincoln Park School
121

The map shows a grid of streets: 5th Street at the top, 4th Street at the bottom, 25th Avenue West on the left, and 24th Avenue West on the right. A large grey shaded area represents the Lincoln Park School campus. A specific parcel, located at the intersection of 4th Street and 24th Avenue West, is highlighted with red diagonal hatching. This parcel is bounded by 4th Street to the north, 24th Avenue West to the east, and 25th Avenue West to the west. The number 121 is printed in large black font in the center of the school campus.

384	382	380
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383	381	379
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4th Street

400	398	396	394	392	390	388	386
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384	382	380
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25th Avenue West

24th Avenue West

