

Schiff

**Vacating the retained utility easement covering all of vacated Girard Avenue South, Lagoon Avenue and 29<sup>th</sup> Street West in the Mozaic project site (Vacation File No. 1578)**

Resolved by The City Council of The City of Minneapolis:

That all that part of the utility easement in vacated Girard Avenue South, north of Lagoon Avenue and south of a line 40 feet north of the south right-of-way line of 29<sup>th</sup> Street West between Hennepin Avenue and Fremont Avenue South adjacent to Block 23 and Block 24, Window Addition to Minneapolis is hereby vacated subject to the retention of a utility easement over, under and through the area described as follows:

The West 37 feet of the South 45 feet of the retained utility easement covering all of vacated Girard Avenue South, between the north line of Lagoon Avenue as opened and improved and the north line of the south 40 feet of 29<sup>th</sup> Street West as platted and heretofore not vacated in Windom's Addition to Minneapolis.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said utility easement upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this utility easement had not been vacated.