

Schiff

Vacating the utility easement in Lots 1, 2, 3, 12, 13 and 14, Block 37, Highland Park Addition, and in the vacated right of way of 21st Avenue North between Fremont and Girard Avenue North in the Minneapolis Public Schools Educational Service Center project site (Vacation File No. 1580)

Resolved by The City Council of The City of Minneapolis:

That all that part of the utility easement in Lots 1, 2, 3, 12, 13 and 14, Block 37, Highland Park Addition, and in the vacated right-of-way of 21st Avenue North between Fremont and Girard Avenue North is hereby vacated subject to the retention of a utility easement to the City of Minneapolis over, under and through the area described as follows:

A 20.00 foot temporary easement for storm sewer purposes, over under and across that part of vacated 21st Avenue North as dedicated in Highland Park Addition to Minneapolis, Hennepin County, Minnesota and vacated per Doc. No. 3816680, on file and of record in the office of the County Recorder, Hennepin County, Minnesota, and per Doc. No. 963215, on file and of record in the office of the Registrar of Titles, Hennepin County, Minnesota. The centerline of said easement is described as follows:

Commencing at the northwest corner of Lot 14, Block 37, Highland Park Addition to the City of Minneapolis, said point being the intersection of the easterly right of way of Girard Avenue North and the south line of vacated 21st Avenue North; thence North 00 degrees 03 minutes 07 seconds West, assumed bearing, along said easterly right of way line of Girard Avenue North, a distance of 37.60 feet to the point of beginning of the line to be described; thence North 73 degrees 47 minutes 36 seconds East, a distance of 39.53 feet; thence South 89 degrees 49 minutes 29 seconds East, a distance of 256.39 feet; thence South 73 degrees 43 minutes 07 seconds East, a distance of 37.99 feet to a point on the westerly right of way line of Fremont Avenue North, said point lying 38.21 feet north of the northeast corner of Lot 1, Block 37, Highland Park Addition to Minneapolis, as measured along said westerly right of way of Fremont Avenue North, and said line there terminating.

The sidelines of said easement are to be prolonged or shortened to terminate at the easterly right of way of Girard Avenue North and the westerly right of way line of Fremont Avenue North.

Said easement shall expire when permanent easement documentation over same temporary easement is filed and made of permanent record.

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.