

Department of Community Planning and Economic Development - Planning Division
Vacation 1442a

Date: August 23, 2004

Applicant: Temple Israel Memorial Park Cemetery

Address of Property: 4153 Third Avenue South.

Contact Person and Phone: Neal Frank 612-374-0353

Planning Staff and Phone: Jim Voll 612-673-3887

60-Day Review Decision Date: Not Applicable

Ward: 8 **Neighborhood Organization:** Bryant

Existing Zoning: R1A Single-family Residential.

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 31

Legal Description: Not applicable for this application.

Existing Use: Cemetery.

Concurrent Review: None.

Development Plan: A site plan of the existing cemetery is attached.

Responses from Utilities and Affected Property Owners: Minneapolis Public Works has not yet responded. Staff will forward their recommendation at the August 23, 2004 City Planning Commission meeting, if available.

Xcel Energy requests an easement over the north 10 feet of the south 83 feet of the alley.

Findings: The CPED Planning Division finds that the area proposed for vacation is not needed for any public purpose, and it is not part of a public transportation corridor, and that it can be vacated if any easements requested above are granted by the petitioner.

Recommendation of the Community Planning and Economic Development Department – Planning Division:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation subject to the provision of an easement to Xcel Energy over the north 10 feet of the south 83 feet of the alley to be vacated.

Minneapolis City Planning Department Report
Vacation 1406

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Vacating the south 83 feet of an alley dedicated in Block 6, PORTLAND PARK ADDITON TO MINNEAPOLIS. (Vacation File No. 1442a).

Resolved by The City Council of The City of Minneapolis:

That the south 83 feet of the alley dedicated in Block 6, PORTLAND PARK ADDITION TO MINNEAPOLIS is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy, its successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporation(s) as follows, to wit:

As to Xcel: An easement over the north 10 feet of the south 83 feet of the alley located in Block 6, PORTLAND PARK ADDITION TO MINNEAPOLIS, according to the recorded plat thereof on file and of record in the Office of the County Recorder in and for Hennepin County, Minnesota.

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 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 alley upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.