

**RESOLUTION
TO VACATE PUBLIC RIGHT OF WAY AND
UTILITY EASEMENT LOCATED ON LOT A & B, BLOCK 1, MOLSTAD'S
ADDITION AND LOT 5, BLOCK 1, MOLSTAD'S SECOND ADDITION**

WHEREAS, a petition has been filed with the city council to vacate parts of the dedicated public right of way and 10 foot utility easement adjacent thereto lying North of the North line of 16th Avenue North and its westerly extension and West of the West line of 16th Avenue North Circle and its northerly extension. Originally platted as a cul-de-sac with Molstad's and Molstad's Second Additions to the City of Grand Forks, North Dakota. Containing 10-549 Square Feet more or less.

WHEREAS, notice thereof has been published in accordance with the law, and a hearing has been held thereon.

NOW, THEREFORE, Be It Resolved by the city council of the City of Grand Forks, North Dakota, that the hereinbefore described property as shown on the attached map which is by reference made a part hereof, be and the same is hereby vacated and discontinued.

BE IT FURTHER RESOLVED, That the city auditor publish this resolution as provided by law.

I, Maureen Storstad, city auditor, hereby certify that the aforementioned resolution was passed and adopted by the city council of the city of Grand Forks, North Dakota, at its meeting held at 5:30 o'clock in the evening on Monday, August 5, 2019.

**Maureen Storstad
City Auditor**

(Seal)

(August 10, 2019)

**NOTICE OF PETITION TO VACATE PUBLIC RIGHT OF WAY AND
UTILITY EASEMENT LOCATED ON LOT A & B, BLOCK 1, MOLSTAD'S
ADDITION AND LOT 5, BLOCK 1, MOLSTAD'S SECOND ADDITION**

Notice is hereby given that a petition has been filed with the city auditor to vacate parts of the dedicated public right of way and 10 foot utility easement adjacent thereto lying North of the North line of 16th Avenue North and its westerly extension and West of the West line of 16th Avenue North Circle and its northerly extension. Originally platted as a cul-de-sac with Molstad's and Molstad's Second Additions to the City of Grand Forks, North Dakota. Containing 10-549 Square Feet more or less.

Notice is further given that the city council has set the 5th day of August, 2019 at 5:30 o'clock in the evening in the council chambers in City Hall in the city of Grand Forks, North Dakota, as the time and place for hearing said petition, and at said time and place all persons interested may submit testimony, evidence or argument either for or against said petition.

Dated: June 17, 2019.

**Maureen Storstad
City Auditor**

(June 22 and 29, July 6 and 13, 2019)



City of Grand Forks Staff Report

Planning & Zoning Commission – June 5, 2019
City Council – June 17, 2019

APPROVED & ACCEPTED
by City Council
Maureen Storstad
06/17/2019
Maureen Storstad
City Auditor

APPROVED & ACCEPTED
by City Council
Maureen Storstad
08/05/2019
Maureen Storstad
City Auditor

Agenda Item:3-7 (Final) Approval to vacate a portion of of 16th Ave North and 10 foot utility easement adjacent thereto, Molstad’s Addition and Molstad’s Second Addition, 4403 and 4386 16th Ave North.

Prepared by: Ryan Brooks, Deputy City Planner

Submitted by: Brad Gengler, City Planner

Staff Recommended Action: Recommend approval of the request to vacate a part of 16th Ave North right-of-way and 10 foot utility easement adjacent thereto located on Lot A & B, Block 1 Molstad’s Addition and Lot 5, Block 1, Molstad’s Second Addition. Recommend the City Council approve the request on June 17, 2019 and set a public hearing as prescribed by law.

June 5, 2019 – Committee Recommended Action: Motion by Kuhn, second by Budke to approve staff recommendation. Motion carried unanimously.

June 17, 2019 – Council Action: Approved unanimously on consent agenda. Public Hearing set for August 5

TBD – Council Action:

BACKGROUND: The developer of the property is developing Lots 4 and 5, Block 1 of Molstad’s Second Addition (see later item on Gornowicz Resub). In developing designs it was determined that the bulbed right-of-way on the north side of 16th Avenue North was no longer needed.

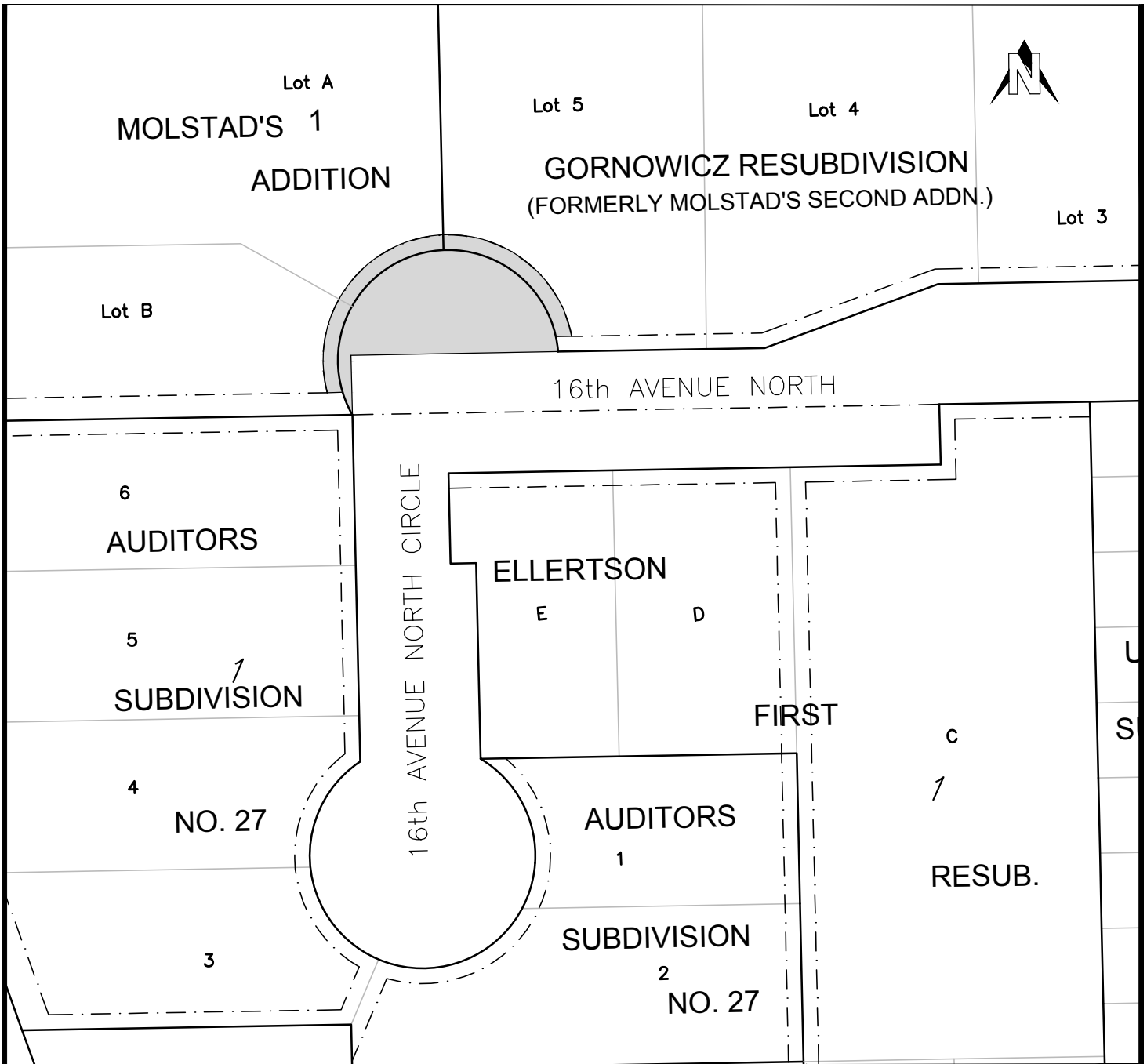
Staff recommends approval of the vacation.

ANALYSIS AND FINDINGS OF FACT:

- Vacations require approval by the Planning and Zoning Commission and the City Council.
- A public hearing will be held at the City Council.
- Vacations require the approval of all property owners adjacent to the vacation right-of-way.

SUPPORT MATERIALS:

- Proposed Vacation Map



VACATION DESCRIPTION-

VACATE PARTS OF THE DEDICATED PUBLIC RIGHT OF WAY AND 10 FOOT UTILITY EASEMENT ADJACENT THERETO LYING NORTH OF THE NORTH LINE OF 16TH AVENUE NORTH AND ITS WESTERLY EXTENSION AND WEST OF THE WEST LINE OF 16TH AVENUE NORTH CIRCLE AND ITS NORTHERLY EXTENSION. ORIGINALLY PLATTED AS A CUL-DE-SAC WITH MOLSTAD'S AND MOLSTAD'S SECOND ADDITIONS TO THE CITY OF GRAND FORKS, NORTH DAKOTA. CONTAINING 10,549 SQUARE FEET MORE OR LESS.

 <p>CITY OF GRAND FORKS ENGINEERING DEPARTMENT</p>	<p>VACATION PARTS OF 16TH AVENUE NORTH & 16TH AVENUE NORTH CIRCLE</p>	<p>DATE 5/23/2019</p>	<p>REVIEWED BY B. BARTHOLOMEW</p>
		<p>SCALE 1" = 100'</p>	<p>DRAWN BY K. BILLADEAU</p>