Ordinance No. ___-21

Ordinance amending conditions of approval for vacating right of way
9808 and 9920 Wayzata Boulevard

The City of St. Louis Park does ordain:

Whereas, the City Council approved an ordinance vacating right of way on March 19, 2018 as part of land use applications for redevelopment of property located at 9808 and 9920 Wayzata Boulevard; and

Whereas, land use applications for a revised redevelopment proposal of the properties above have been submitted to the city by Mortenson Development; and

Whereas, one of the conditions of approval for the right of way vacation is no longer needed for public purposes nor public interest.

Now, therefore be it resolved that the following amendment to the ordinance vacating right of way shall be made by deleting strikethrough text:

Section 1. The City of St. Louis Park proposes to vacate the right-of-way proposed to be vacated and the application has been duly filed. The notice of the application was published in the St. Louis Park Sailor on February 22, 2018 and the City Council has conducted a public hearing upon said petition and has determined that the right-of-way is not needed for public purposes, and that it is for the best interest of the public that said right-of-way be vacated.

Section 2. The following described right-of-way as now dedicated and laid out within the corporate limits of the City of St. Louis Park, is vacated:

Beginning at right of way Boundary corner B3; thence on an assumed azimuth of 1 degree 05 minutes 15 seconds along the boundary line of said plat a distance of 86.85 feet to Right of Way Boundary Corner B4; thence deflect to the right 83.74 feet along a non-tangential curve concave to the northwest and passing through Right of Way Boundary Corner B5, having a radius of 2083.24 feet, central angle of 2 degrees 18 minutes 11 seconds, chord azimuth of 48 degrees 18 minutes 24 seconds and chord distance of 83.73 feet; thence on an azimuth of 91 degrees 27 minutes 32 seconds a distance of 98.89 feet; thence southwesterly deflecting to the right on a non-tangential curve concave to the northwest having a radius of 788.53 feet, delta angle of 15 degrees 42 minutes 58 seconds, and a chord azimuth of 229 degrees 07 minutes 59 seconds and chord distance of 215.62 feet to the East line of parcel 44 as shown on said plat 27-23; thence north along said East line of Parcel 44 to the point of beginning.
AND

That part of Trunk Highway No. 12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 27-23 which lies southwesterly and southerly of Line 1, said Line 1 being described as follows:

Line 1:
Commencing at Right of Way Boundary Corner B212 as shown on said Plat No. 27-23; thence Northerly on an azimuth of 00 degrees 13 minutes 27 seconds along the West line of the boundary of said Plat No. 27-23 a distance of 484.26 feet to Right of Way Boundary Corner B211 and the point of beginning of the line being described; thence Easterly on an azimuth of 101 degrees 20 minutes 23 seconds along the boundary of said Plat No. 27-23 a distance of 214.28 feet to Right of Way Boundary Corner B1; thence continue on an azimuth of 101 degrees 20 minutes 23 seconds 93.00 feet; thence deflect to the left 350.87 feet on a non-tangential curve, concave to the North and passing through Right of Way Boundary Corner B2 as shown on said Plat No. 27-23, having a radius of 763.94 feet, a delta angle of 26 degrees 18 minutes 56 seconds, and a chord azimuth of 70 degrees 47 minutes 34 seconds to the Easterly line of said Parcel 44; thence on an azimuth of 01 degree 05 minutes 15 seconds 7.37 feet to Right of Way Boundary Corner B3 as shown on said Plat No. 27-23 and there terminating.

And northerly of the following described line and its easterly extension:

Commencing at the point of intersection of the West line of the Southeast Quarter of the Northeast Quarter of said Section 1 with the most southerly line of Lot 1, Block 7, SHELARD PARK; thence on an assumed bearing of South 0 degrees 39 minutes 11 seconds West along said West line a distance of 187.99 feet to the point of beginning of the line being described; thence along a non-tangential curve concave to the northeast having a radius of 788.53 feet, central angle of 7 degrees 43 minutes 57 seconds, chord bearing of South 78 degrees 42 minutes 56 seconds East to its intersection with the most westerly extension of the southerly line of said Parcel 44; thence easterly along said extension of the most southerly line of said Parcel 44 to its intersection with Line 1 described above, and said line there ending.

Section 3. The City Clerk is instructed to record certified copies of this ordinance in the Office of the Hennepin County Register of Deeds or Registrar of Titles as the case may be.

Section 4. This ordinance shall take effect upon relocation of the public utilities and recording the final plat, and not sooner than fifteen days after its publication.

<table>
<thead>
<tr>
<th>First reading</th>
<th>February 1, 2021</th>
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<tbody>
<tr>
<td>Second reading</td>
<td>February 16, 2021</td>
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<tr>
<td>Date of publication</td>
<td>February 25, 2021</td>
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</tbody>
</table>
Reviewed for administration: Thomas K. Harmening, city manager

Adopted by the City Council February 16, 2021

Attest: Jake Spano, mayor

Approved as to form and execution:

Melissa Kennedy, city clerk

Soren Mattick, city attorney

Date ordinance takes effect

Upon recording of the final plat, and not sooner than March 12, 2021.