

# ORDINANCE NUMBER 55

## CITY OF TOWER, MINNESOTA

An ordinance describing the procedure to be used in the vacation and discontinuation of streets, alleys, and other highways in the City of Tower.

The City of Tower ordains:

Section 1. The council may vacate or discontinue any street, alley, or other highway, or any part or parts thereof, within the City, upon petition of a majority of the owners owning a majority of the property frontage upon the portion of the line of such highway proposed to be vacated, which petition shall state, among other things, the facts and reasons for such vacation and shall be accompanied by a plat of the ground showing all of the property abutting on the portion of the highway of which vacation is asked; such petition shall be verified by the oath of one of the petitioners or by the agent or one of the petitioners, and shall also be accompanied by the certificate of a duly authorized abstract company showing the name or names of the owner or owners of record of each parcel of property abutting on the portion of highway proposed to be vacated.

The Council, when such petition is presented, shall thereupon, if it deems its expedient that the matter shall be proceeded with, order the petition to be filed with the City Clerk and shall also fix a time and place when and where it will meet and act upon such petition. The Council shall give notice of the filing and of the object of such petition and also of the time and place of hearing thereof to each occupant of such abutting land at least fourteen days before such date of hearing, which notice may be served either personally or by leaving a copy for each such occupant at his house of usual abode or by mailing the same to him by registered mail. The Council shall also cause not less than fourteen days posted notice of such hearing to be given.

The council at the time and place appointed shall investigate the said matter and hear all parties who appear and desire to be heard thereon, and, after hearing the same, may by ordinance passed by a four-fifths vote of all the members thereof declare such street, alley, or highway, or part or parts thereof, vacated or discontinued; which ordinance shall go into effect in the same manner as other ordinances of the City. A transcript be filed for record forthwith in the office of the Register of Deeds of Saint Louis County, Minnesota.

The Council in any case, may in its discretion require that the petitioners for such vacation shall, before the same becomes effective, pay into the City Treasury a sum to be fixed by the Council by a four-fifths vote, equal to the value of the premises so vacated; and the Council may in any case provide that the petitioners, or any of them, shall establish or cause to be established by due and lawful dedication such streets, alleys, roads or highways in lieu of those vacated, as may be determined upon by the Council.

Section 2. This ordinance shall take effect and be in force after its passage and publication.

Ordinance # 2 given first reading on April 2, 1929.

Ordinance # 2 adopted on April 9, 1929 on the following vote:

Moved by Alderman Wienzierl and supported by Alderman Sovde that Ordinance #2 e adopted and approved.

Ayes: Aldermen Wienzierl, Sovde, Anderson, and Stonich and Mayor Olson.

Nays: None.

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Herman T Olson, Mayor

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Carl Howe, City Clerk