



# CITY OF TWO HARBORS

---

522 First Avenue, Two Harbors, MN 55616  
(218) 834-5631 · FAX (218) 834-2674

## VACATION OF A STREET

### CHECKLIST

This applies to all applications to vacate a public street, highway, or utility easement. See Section 7.09 of the Two Harbors City Code for more information.

#### Starting the Application Process

You must discuss proposed vacations with City Planner prior to submitting an application. Call 218-834-8833 to schedule a pre-application meeting. The pre-application meeting is intended to discuss the application process and general timeline. A comprehensive review of the proposed project is not possible at this meeting; detailed review of the project will occur once a complete application, with sufficient supporting information and exhibits, is submitted.

#### Your Application

Submit your application materials to City Hall at 522 First Avenue, Two Harbors, Minnesota, by the Planning Commission application deadline.

Your application must include the following:

Application Cover Sheet and Applicable Fee

A plat or map, clearly showing the portion of the street to be vacated (must meet standards of the County Recorder's or Registrar of Titles Office). The City Planner and staff will review the exhibit, and may ask for corrections/amendments. Until the exhibit has been reviewed, and approved, by the City Planner, the application is considered incomplete.

Legal description in recordable form, printed clearly on an 8.5"x 11" sheet (consult a surveyor or attorney if needed)

A petition of the majority of landowners abutting the right of way or easement to be considered for vacation; see the Vacation Petition Form and Section 7.09, Subd. 1 of the City Code.

If there is a utility line located in the easement proposed to be vacated, contact the utility company before submitting your application. The utility company may either require the applicant to pay for relocating the line, or require a utility easement be preserved over the entire right of way line.

#### After Submitting Your Application

**1. Determination of Completeness.** Within 15 business days of your application, you should expect one of the following (remember, until the exhibit has been reviewed, and approved, by the City Planner, the application is considered incomplete):

- Receive an "Applicant Letter," which acknowledges a complete application, shares the date of the Planning Commission meeting and the assigned staff person, and notifies you of state-mandated deadlines for the City to make a decision, **OR**



# CITY OF TWO HARBORS

---

522 First Avenue, Two Harbors, MN 55616  
(218) 834-5631 · FAX (218) 834-2674

- Receive notification that your application is incomplete, with details on further information to submit.

**2. Public Notice.** A mail notice will be sent by the City to property owners abutting the portion of the street proposed to be vacated, and to the portion of the street extending 350 feet from the ends of the portion.

**3. Staff Review.** Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for a vacation of street request, Planning Staff generally review the current and projected usefulness of the street (is it being used now and/or is there a chance it could be useful in the future) for vehicular, pedestrian, and utility purposes, surrounding land uses, surrounding traffic circulation and projected future traffic circulation, the likelihood of creating a dead-end street, any additional criteria in the City Code, and other related factors.

**4. Public Hearing/City Council Decision.** You will receive a notice of public hearing ten (10) days before the hearing. We ask that applicants or an agent attend this meeting. The City Council will make a decision whether to approve the proposed vacation, approve it with modifications, or deny it. The approval requires a majority vote of the City Council.

**6. Recording.** If approved, the City Administrator will submit a certified copy of the vacation resolution and signed exhibit to the County Recorder or Registrar of Titles Office, as the case may be. **You will receive a bill for any recording fees.** Once it has been legally recorded, the City Administrator will send notice of the Council action to the applicant.



# CITY OF TWO HARBORS

522 First Avenue, Two Harbors, MN 55616  
(218) 834-5631 · FAX (218) 834-2674

## Petition to Vacate Street, Alley, or Utility Easement

Applicant Name:

---

Description of street, alley, or easement to vacate:

---

My request for this vacation is to (indicate purpose of vacation):

---

The City of Two Harbors will not need this street, alley, or easement in the future because:

---

**PLEASE TAKE NOTICE:** Pursuant to Section 7.09 of the Two Harbors City Code, the above-identified applicant(s) petition the Two Harbors City Council to vacate the street, alley, or easement described in the attached legal description.

This petition is made upon the following facts and reasons (Identify the factual basis and reasons supporting the petition)<sup>1</sup>:

---

---

---

This petition is supported by a majority of the person(s) who own a majority of the lineal frontage of the land abutting upon the portion of the public grounds or street residing within the City proposed to be vacated. A copy of the signatures of these persons is attached hereto and made a part hereof.<sup>2</sup>

The petitioner(s) agree to provide the City with a legal description and drawing of the easement(s) proposed to be vacated as required by Section 7.09, Subd. 1 of the Two Harbors City Code. We understand that the vacation cannot occur without the submission of the required legal description and drawing. We understand that the cost of producing the legal description and drawing is the responsibility of the petitioner(s).

Signature(s):

---

Date: \_\_\_\_\_

### EACH OWNER SHOULD SIGN A SEPARATE PETITION

**Notice: This is public data.**

---

<sup>1</sup> In order to vacate a public easement it must be demonstrated that the easement is useless for the purpose for which it was dedicated.

<sup>2</sup> If a property is owned in joint tenancy or by tenants in common, each individual with an ownership interest will be counted to determine if a majority of owners have signed the petition. An owner cannot sign for another owner unless legally authorized to do so, i.e power of attorney, trustee, or court approved guardianship or conservatorship.