

**CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION**

March 22, 2023

No. 23-20

---

**RESOLUTION NO.  
A RESOLUTION VACATING RUGGLES PATHWAY  
(BETWEEN PASCAL STREET AND HOLTON STREET)**

WHEREAS, the Council previously passed Resolution No. 23-15 noting its interest in vacating pursuant to Minnesota Statute § 412.851 Ruggles pathway right-of-way between Pascal Street and Holton Street described as follows and depicted in Exhibit "A":

All of the right of way which is labelled as "WALK" on the plat named Barthel Villas; said "WALK" was dedicated to the public by the said plat of Barthel Villas; said "WALK" being bounded as follows:

On the North by Lots 9 and 26, Block 1, said plat of Barthel Villas;  
On the South by Lots 10 and 25, Block 1, said plat of Barthel Villas;  
On the East by the West right of way line of Holton Avenue;  
On the West by the East right of way line of Pascal Avenue;

All in Ramsey County, Minnesota;

and setting a public hearing to consider the vacation of such street; and

WHEREAS, a public hearing to consider the vacation of such street was held on the 22nd day of March, 2023, before the City Council in the City Hall located at located at 2077 West Larpentour Avenue, Falcon Heights at 7:00 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 10th day of March, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because the right-of-way is not needed for current or future right-of-way purposes; and

And WHEREAS, four-fifths of all members of the City Council concur in this resolution;



NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, MINNESOTA AS FOLLOWS:

That the right-of-way described as follows and depicted in Exhibit "A" is hereby vacated, with the exception of a drainage and utility easement within the vacated area is hereby reserved:

All of the right of way which is labelled as "WALK" on the plat named Barthel Villas; said "WALK" was dedicated to the public by the said plat of Barthel Villas; said "WALK" being bounded as follows:

- On the North by Lots 9 and 26, Block 1, said plat of Barthel Villas;
- On the South by Lots 10 and 25, Block 1, said plat of Barthel Villas;
- On the East by the West right of way line of Holton Avenue;
- On the West by the East right of way line of Pascal Avenue;

All in Ramsey County, Minnesota.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

-----

Moved by: Wehyee

Approved by: \_\_\_\_\_  
Randy Gustafson  
Mayor  
March 22, 2023

GUSTAFSON	<u>Y</u>	<u>2</u>	In Favor
LEEHY	<u>Y</u>		
MEYER	<u>N</u>	<u>3</u>	Against
WASSENBERG	<u>N</u>		
WEHYEE	<u>N</u>		

Attested by: \_\_\_\_\_  
Jack Linehan  
City Administrator  
March 22, 2023

Motion failed

*Motion failed*

