

1937
The portion of the
Hudson River
with a width of 500 ft
of the river
Stable

East Ave. #75
From Hudson Road
To Stillwater cutoff 1 1/4 mi.
Report of Committee
Description Incorrect
F159
Do not type at
this time 1-2-41

Bennets Harvester Works Add.

99267 consent to vacate
99268 Decree

Petition evidently drawn up and misplaced.

Report of Committee

Your committee to whom was referred the petition of G. U. Bacon, H. T. Fairchild, John S. Pruor, and others, praying for the laying out of a highway described as follows:

Commencing at a point on the Hudson Road where the east and west line between sections 35 and 36 intersects said Hudson Road in Nelson Township, thence running north along said east and west line between sections 35 and 36 and section 25 and 26 until it intersects the present road known as the Stillwater Road in the Town of New Canada.

Be it reported that they met at the junction of the Stillwater road on Tuesday, October 28, 1884, at 10 o'clock, A.M. and after hearing Messrs. S. Potter, D. J. Hennessy and A. Watter, for and against said petition, would recommend that the prayer of the petitioners be granted and that the benefits and damages be assessed to the owners or supposed owners as follows:

Owners of Lands	Description of Lands	Sect.	Town.	Range	Damages	Benefits
D. J. Hennessy		35	29	22	\$75.00	\$75.00
E. F. Bingham	W. 1/2 SE. 1/4	36	29	22	Equal	Equal
Sam Potter	NW. 1/4	36	29	22	25.00	25.00
H. Watter	SW. 1/4 of SW. 1/4	25	29	22	150.00	75.00
L. Dayton	S. 1/4 of SE. 1/4	26	29	22	10.00	10.00
B. McGain	NW. 1/4 of NW. 1/4	25	29	22	10.00	10.00

And that an order be issued laying out said highway as provided by and in accordance with the statutes therein made and provided.

Signed George Wither }
W. L. Ames } Committee
Geo. H. Hazard }

Given under our hands this 11th day of November, 1884.

Report accepted and adopted.

Board of County Commissioner

County Road.

Petition from Sam Patter, G. V. Bacon and others for the laying
out of a road as follows:

Commencing at a point on the Hudson Road where the East and West
line between sections 35 & 36 intersects said Hudson, road in McLean
Town, thence running north on said east and west line between sections
35 and 36 and sections 25 and 26 until it intersects the present road
known as the Stillwater Road in New Canada township, time and place
fixed to view the proposed road.

Project File #159

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

Final Decree

SECOND JUDICIAL DISTRICT

Doc. No. 99268

In the Matter of the Application of Margaret Sacho, in her individual right and as executrix of the will of Elias P. Sacho, deceased, to vacate the plat of Bennett's Harvester Works Addition to the City of St. Paul, Ramsey County, Minn., except for the following named streets and avenues, to-wit: All of Ellowella Avenue; that part of Harvester Avenue lying between the East line of Ellowella Avenue and the West line of Woods Avenue; that part of Woods Avenue lying northerly of the South line of Harvester Avenue; all of Cherry Street; and that part of the Stillwater Road now used as a public road.

Findings of Fact and Order for Judgment.

This matter came duly on to be heard before the undersigned Richard D. O'Brien, one of the judges of this Court, at a special term thereof held on the 4th day of August, 1927, and again at a special term thereof held on the 11th day of August, 1927, pursuant to the order for hearing made herein on the 9th day of June, 1927; the hearing of said matter having been duly continued from the 30th day of June, 1927, the date of hearing set by said order for hearing.

William P. Westfall, Esq., appeared in his capacity of Examiner of Titles of said Ramsey County; and the applicant and petitioner, Margaret Sacho, appeared in person and by her attorney Horace H. Glenn; and there was no appearance by or on behalf of any other person

It was made to appear to the satisfaction of the Court that the petitioner Margaret Sacho has caused two weeks' published and posted notice of her said application to be given as required by law and by said order for hearing, and that the last publication of such notice was made on the 18th day of June, 1927, being more than ten days before the term at which said application was ordered to be heard; and that said petitioner has caused to be served personally copies of such application, at least ten days before the term at which said application was ordered to be heard as aforesaid, upon the Chairman of the Town Board of the Township of New Canada, in which the land involved in this proceeding is situated, as provided by law and by said order for hearing; and that this Court has full jurisdiction of the subject-matter of this proceeding and of the parties thereto, and full power and authority to make these findings and order for judgment.

Place in Road Opening Order File #159

RC. 5-24-71

R-1068

copy

Affidavit of Purchaser of Registered Land

State of Minnesota, }
COUNTY OF RAMSEY. } ss.

Horace H. Glenn being first duly sworn
on oath says, that ~~he~~ *Margaret Zacho* is the purchaser of registered land, situated in Ramsey County, Minnesota, from
the holder of Certificate No. _____ that affiant resides at No. *Box 76 R.R. #1*
~~Street Avenue~~, in the ~~City of St. Paul~~, County of Ramsey, and State of Minnesota; is *45* years
of age; is under no legal disability, and is ~~married to~~ *a widow*

Horace H. Glenn

Subscribed and sworn to before me, this

16th day of *August* 192*7*

John J. O'Brien
Notary Public, Ramsey County, Minnesota.

My Commission Expires *Jan 21 1933.*

In the Matter of the Application of Margaret Macho, in her individual right and as executrix of the will of Eliza M. Macho, deceased, to vacate the plat of Barrett's Harvesters for a addition to the City of St. Paul, Ramsey County, Minn., once to be for the following named streets and avenues, to-wit: All of Elowella Avenue; that part of Harvesters Avenue lying between the East line of Elowella Avenue and the East line of Woods Avenue; that part of Woods Avenue lying northerly of the South line of Harvesters Avenue; all of Cherry Street; and that part of the Stillwater Road now used as a public road.

Findings of Fact and Order for Judgment.

This matter came duly on to be heard before the undersigned Richard D. O'Brien, one of the judges of this Court, at a special term thereof held on the 4th day of August, 1927, and again at a special term thereof held on the 11th day of August, 1927, pursuant to the order for hearing made herein on the 9th day of June, 1927; the hearing of said matter having been duly continued from the 30th day of June, 1927, the date of hearing set by said order for hearing.

William P. Westfall, Esq., appeared in his capacity of Examiner of Titles of said Ramsey County; and the applicant and petitioner, Margaret Macho, appeared in person and by her attorney Horace E. Glenn; and there was no appearance by or on behalf of any other person.

It was made to appear to the satisfaction of the Court that the petitioner Margaret Macho has caused two weeks' published and posted notice of her said application to be given as required by law and by said order for hearing, and that the last publication of such notice was made on the 18th day of June, 1927, being more than ten days before the term at which said application was ordered to be heard; and that said petitioner has caused to be served personally a true and correct copy of such application, at least ten days before the term at which said application was ordered to be heard as aforesaid, upon the chairman of the Town Board of the Township of New Canada, in which the land involved in this proceeding is situated, as provided by law and by said order for hearing; and that this Court has full jurisdiction of the subject-matter of this proceeding and of the parties thereto, and full power and authority to make these findings and order for judgment.

And the Court having heard the evidence offered in support of said application and the arguments of counsel, and having fully considered the same, makes the following

FINDINGS OF FACT,

1. That each and all of the allegations of the application and petition herein are true.

2. That the petitioner and applicant Margaret Zacho is the owner in fee simple of the land described in the application herein, viz: All of Bennett's Harvester Works Addition to the City of St. Paul, Ramsey County, Minn; being the West one-half ($W\frac{1}{2}$) of the Southeast one-quarter ($SE\frac{1}{4}$) of the Northwest one-quarter ($NW\frac{1}{4}$), the West one-half ($W\frac{1}{2}$) of the Northeast one-quarter ($NE\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$), and the Northwest one-quarter ($NW\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$), of Section twenty-five (25), in Township twenty-nine (29), of Range twenty-two (22), in said Ramsey County.

3. That the title to said real estate is registered in the office of the Registrar of Titles of said Ramsey County in the name of Elias B. Zacho, in Volume 68 of Register of Titles, on page 113, under Certificate of Title Number 26220; that the said Elias B. Zacho died on the 23rd day of March, 1926, leaving a last will and testament by which the whole of his estate is devised and bequeathed to his widow, Margaret Zacho, the petitioner and applicant herein; that the said will has been duly proved and admitted to probate in and by the Probate Court of the said County of Ramsey in the administration of the estate of the said Elias B. Zacho, and that on the 5th day of August, 1927, the said Probate Court duly made and entered its final decree in said matter, by which the said real estate is assigned to and vested in the said Margaret Zacho pursuant to said will. A certified copy of the said will, the order admitting the same to probate and the said final decree has been offered and received in evidence herein, and marked "Exhibit B".

4. That the title of the said Margaret Zacho to said real estate is subject to a mortgage in the principal sum of Three thousand

dollars (\$5,000) to Bridget Maguire as mortgagee, registered in the office of the said Registrar of Titles on the 25th day of June, 1924, as Instrument Number 69814; and that the said Bridget Maguire has consented to the vacation of the said plat of Bennett's Harvester Works Addition, as prayed for in the petition and application herein, by a written consent dated and acknowledged on the 16th day of June, 1927, which has been offered and received in evidence herein and marked "Exhibit A".

5. That the said plat of Bennett's Harvester Works Addition was filed for record and recorded in the office of the Registrar of Deeds of said Ramsey County on the 24th day of October, 1892, in Book 16 of Main Plate at page 33; that the said real estate is situate in the Township of New Canada in the said County of Ramsey; that none of the streets, alleys, avenues or public ways so sought to be vacated by said application have ever been opened or used as public streets or ways by the public or by any person, and that the same are useless for the purpose for which they were laid out; and that all taxes heretofore levied or assessed against said real estate have been paid in full.

And the Court finds as

CONCLUSIONS OF LAW.

1. That the petitioner and applicant Margaret Macho is entitled to the relief prayed for in her said petition and application, and to the vacation of all of the plat of Bennett's Harvester Works Addition to the City of St. Paul, Ramsey County, Minn., except for the following named streets and avenues, viz: All of Ellovella Avenue, that part of Harvester Avenue lying between the East line of Ellovella Avenue and the West line of Woods Avenue, that part of Woods Avenue lying northerly of the South line of Harvester Avenue, and all of Cherry Street, and to the judgment of this court vacating said plat as aforesaid and adjudging the title to all streets, alleys and public grounds so vacated to be in the said applicant and petitioner Margaret Macho.

Let judgment be entered accordingly.

The Court further hereby directs that the said Exhibits A and B, being the content of the said mortgagee Bridget Maguire to such vacation and the certified copy of proceedings in the matter of the estate of said Elias F. Zaeho, deceased, be filed forthwith with the Registrar of Titles of said Ramsey County and registered by him, and that thereupon the said Registrar shall issue to the said Margaret Zaeho, in her name, a new certificate of title to the said real estate as so vacated, according to law, upon the surrender to him of the said Certificate of Title Number 26220 in the name of Elias F. Zaeho; describing said real estate in such new certificate as the West one-half ($W\frac{1}{2}$) of the Southeast one-quarter ($SE\frac{1}{4}$) of the Northwest one-quarter ($NW\frac{1}{4}$), the West one-half ($W\frac{1}{2}$) of the Northeast one-quarter ($NE\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$), and the Northwest one-quarter ($NW\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$), of Section twenty-five (25), in Township twenty-nine (29), of Range twenty-two (22), according to the United States Government Survey thereof.

Dated at St. Paul, Minnesota, August 12th, 1927.

By the Court:

Richard W. O'Brien
District Judge.

Approved:

W. P. Westfall
Registrar of Titles.

In the latter of the Application of Margaret Lacho, in her individual right and as executrix of the will of Elias L. Lacho, deceased, to vacate the plat of Bennett's Harvester Works Addition to the City of St. Paul, Ramsey County, Minn., except for the following named streets and avenues, to-wit: All of Elowella Avenue; that part of Harvester Avenue lying between the East line of Elowella Avenue and the West line of Woods Avenue; that part of Woods Avenue lying northerly of the South line of Harvester Avenue; all of Cherry Street; and that part of the Stillwater Road now used as a public road.

JUDGMENT AND DECREE.

The above entitled cause came on to be heard by the Court, and was fully tried.

And it appearing that the petitioner Margaret Lacho has caused published and posted notice of her said application to be given as required by law and by the order for hearing made by this Court herein on the 9th day of June, 1927, and personal service thereof to be made upon the Chairman of the Town Board of the Township of New Canada, in which the land involved in this proceeding is situated, as provided by law and by said order for hearing; that no appearance has been made herein by or on behalf of any person other than the petitioner and applicant Margaret Lacho; and that this Court has full jurisdiction of the subject-matter of this cause and of the parties hereto,

And the Court having made and filed its findings of fact and order for judgment herein, according to law,

Now on motion of Horace H. Clean, attorney for the said petitioner and applicant Margaret Lacho,

IT IS ADJUDGED AND DECREED That the plat of Bennett's Harvester Works Addition to the City of St. Paul, Ramsey County, Minn., filed for record and recorded in the office of the Register of Deeds of said Ramsey County on the 24th day of October, 1902, in Book 16 of Town Lots at page 33, be and the same is hereby vacated, except for the following named streets and avenues, viz: All of Elowella Avenue, that part of Harvester Avenue lying between the East line of Elowella Avenue and the West line of Woods Avenue, that part of Woods Avenue

lying northerly of the South line of Harvester Avenue, and all of Cherry Street.

IT IS FURTHER ADJUDGED AND DECREED That the title to all of the streets, alleys and public grounds so vacated, and to all of the land included within said plat, is in the said petitioner and applicant Margaret Zacho, and she is hereby vested with title thereto.

IT IS FURTHER ADJUDGED AND DECREED That a certified copy of this judgment and decree and of the findings of fact and conclusions of law herein be filed in the office of the County Auditor of said Ramsey County, and recorded in the office of the Register of Deeds of said county.

IT IS FURTHER ADJUDGED AND DECREED That Exhibits A and B offered and received in evidence in this proceeding, being the consent of the mortgagee Bridget McGuire to such vacation and the certified copy of the will of Elias F. Zacho, deceased, the order of the Probate Court of said Ramsey County admitting said will to probate, and the final decree of said Probate Court in the matter of the estate of said Elias F. Zacho, deceased, be filed forthwith with the Registrar of Titles of said Ramsey County and registered by him, together with a certified copy of this judgment and decree and of the findings of fact and conclusions of law herein, and that thereupon the said Registrar shall issue to the said Margaret Zacho, in her name, a new certificate of title to the said real estate so vacated, according to law, upon the surrender to him of Certificate of Title Number 26220 in the name of Elias F. Zacho; describing such real estate in said new certificate as the West one-half ($\frac{1}{2}$) of the Southeast one-quarter ($\frac{1}{4}$) of the Northwest one-quarter ($\frac{1}{4}$), the West one-half ($\frac{1}{2}$) of the Northeast one-quarter ($\frac{1}{4}$) of the Northwest one-quarter ($\frac{1}{4}$), and the Northeast one-quarter ($\frac{1}{4}$) of the Southwest one-quarter ($\frac{1}{4}$), of Section twenty-five (25), in Township twenty-nine (29), of Range twenty-two (22), according to the

United States Government survey thereof.

Dated this 12th day of August, 1927.

H. E. Robinson

Clerk of the District Court.

By: G. A. Johnson, Deputy

~~Was~~ approved:

W. P. Westfall
Recorder of Titles.

A. B. Brin
District Judge.

CLERK'S CERTIFICATE

State of Minnesota, } ss.
COUNTY OF RAMSEY

Second Judicial District

I, N. C. ROBINSON, Clerk of the District Court, Ramsey County, State of Minnesota, do hereby certify that I have compared the foregoing paper writing with the original Findings + Decree

in the action therein entitled, now remaining of record in my office, and that the same is a true and correct copy and transcript of said original and the whole thereof.

WITNESS my hand and seal of said Court, at St. Paul, this 13th day of

August A. D. 1927

N. C. ROBINSON, Clerk

By Ma. Cowing Deputy.

68

99263

No. _____

DISTRICT COURT
RAMSEY COUNTY

An Application of
Margaret Jacobs to
Vacate the

AGAINST
X
Plaintiff.

Acce- 25-29-22 171

Defendant.

CERTIFIED COPY OF

Finaling & Release

Attorney for

X

57592
146
230

CERTIFICATE NUMBER 26220
 BOOK 68 PAGE 113
 STATE OF MINNESOTA
 County of Ramsey 1888
 OFFICE OF THE REGISTER OF TITLES
 This is to certify that a document
 was filed in this office on St. Paul, on the
 12th day of Aug. A. D. 1927
 at 3:30 o'clock P. M.
J. J. Fitzgerald
 Register of Titles
 by *H. M. Z. Powell*
 Deputy.

BENNETT'S HARVESTER WORKS ADDITION

TO THE CITY OF ST. PAUL, RAMSEY CO. MINN.
1892

RECORDED OCT. 24, 1892

• INDICATES IRON MONUMENT.

CHAS. A. FORBES, SURV.

NOTE: ALL STREETS, AVENUES & ALLEYS
HEREON SHOWN ARE DEDICATED.

DESCRIPTION: W 1/2 SE 1/4, NW 1/4, AND W 1/2 NE 1/4, SW 1/4, SEC. 25-T. 29-R. 22, W.

BEAVER LAKE.

BEAVER LAKE ADD.

PLA

