



East Shore. Concord. Vt. 1892
from S. Line. Vt. 11. Lot 3 of W. H. Wright and
James C. Wright. State of N. H.

P. F. #1385

Nov. 7, 1921

FINAL ORDER

IT IS THEREFORE HEREBY ORDERED, That said petition be, and the same hereby is granted; and that said change of said road be, and hereby is, established to run according to said report of said Committee by courses and distances as follows, to-wit:

Phalen Boulevard as now laid out and traveled and that strip of land lying between the E'ly line of the present Phalen Boulevard and a line described as follows, to-wit: commencing at a point on the present easterly line of Phalen Boulevard at the angle point on the westerly line of Lot 11, Block 3, Kavanaugh and Dawson's Add. to Lake Side Park thence continuing southerly along the produced E'ly line of the Boulevard as the same now bounds Lots 12 to 17 on the W'ly side to the intersection of the line between Lots 9 and 10 of said Block 3 said point being 40 feet E'ly from at right angles to the present E'ly line of said Boulevard, thence Southeasterly parallel to present E'ly line of Boulevard and 46 feet therefrom at right angles to the intersection of the north line of Larpenteur Ave. and terminating at the angle point on the West line of Lot 11, Block 3, Kavanaugh and Dawson's Add. to Lake side Park.

IT IS HEREBY FURTHER ORDERED, That the County Auditor of said County notify the Town Boards of said Town of New Canada in said County of the establishment of said change of said road; and that the said Town Boards carry out the determinations of this order in their respective towns;

IT IS HEREBY FURTHER ORDERED, That the said damages to said land owners through whose land said road shall pass, be and hereby are, determined and assessed as follows, to be paid to each land owner of said County, to-wit:

NAMES OF OWNERS OF LANDS	DESCRIPTION OF LANDS Subdivision	DAMAGES	
		S Lt.	T R Blk.
Carl A. Linka	Kavanaugh & Dawson's Add. to Lake Side Park	1	3
"	"	2	3
"	"	3	3
"	"	4	3
"	"	5	3
Chas. A. Otto	"	6	3
Axel E. Parsons	"	7	3
Oscar V. Parsons	"	8	3
	That part of Lt. 9 lying S'ly of a line drawn from the Se Cor. of said Lot to a point on W. line thereof 6.24 ft. from the SE Cor. (Same Addition) That part of Lt. 9 lying N'ly of a line drawn from the SE Cor. of said Lot to a point on W. line thereof 6.24 ft. from the SE Cor. of said	9	3
James P. Duggan	(Same Addition)	10	3
Carl A. Linka	"	11	3

Benefits and damages to be determined at a later meeting.

Dated November 7th, 1921

The County Board of Ramsey
County, State of Minnesota

By L. C. Hodgson, Chairman

C C Book "T"

Pages 143, 144.

Project File #385

PETITION FOR ESTABLISHMENT AND ALTERATION OF ROAD.

We, the undersigned freeholders of the County of Ramsey, and State of Minnesota, hereby petition the Board of County Commissioners of said Ramsey County for the establishment and alteration of the following described road, said road being along the shores of Lake Phalen, which said lake is wholly in said county, it being necessary in the alteration of said road to acquire the following described property, to-wit:

All that part of lot 1 to 11 inc. of Block 3 Kavanaugh and Dawson's Lake Park Add. that lies Westerly of the following described line, a line 40 ft. easterly of and parallel to the east line of Phalen Boulevard in front of lots 1 to 9 produced to the intersection with the easterly line of Phalen Boulevard in front of lots 12 to 17, produced southeasterly to an intersection with the first described line. Said property and said road not being within a city and the names of the owners thereof through which the same may pass, as far as known, are as follows:

Charles A. Otto
Axel E. Parsons
Oscar V. Parsons
James P. Duggan

Respectfully submitted:

Eugene J. Broos
Ernest N. Johnson
Fred Seigel
Cornelius Grimey
C. A. Ingerson
Ade Dreher
E. W. Wiginton
Fred Nussbaumer
M. R. Sedin
L. E. Lilygren
E. O. Hedin
Jos. G. Patock
Steve Schniets

Arthur H. Meisel
F. E. Hoffman
R. P. Works
Harry S. Bronson
R. L. Eisenmenger
Charles A. Hansler
Edward R. Rockart
A. J. Licha
John J. Guesenhoven
Fred Thies
H. C. Wenzel
L. C. Hodgson

Commissioner Keller made a motion seconded Lind that the same be referred to the County Attorney with instructions to immediately commence condemnation proceedings for acquiring said property which is essential for the widening of this road and same carried by the following vote: Ayes: Car, Churchill, Farrell, Freeman, Keller, Lind and Hodgson. Nays: None.

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Pages 24-25

Project File #385

Sept. 19, 1921

ORDER OF HEARING AND APPOINTMENT OF COMMITTEE

STATE OF MINNESOTA)
 SS
COUNTY OF RAMSEY)

WHEREAS, On the 4th day of August 1921, a petition signed by twenty-four freeholders of said County was presented to us praying for the change of a highway not within the limits of any incorporated city, and described as follows:

Beginning at the North City Limits of St. Paul at the intersection of Phalen Boulevard and Larpentour Ave., running thence northwesterly parallel to the shore of Lake Phalen and to be connected with other roads as follows: Keller Parkway and Larpentour Ave. and terminating at Keller Parkway, and the Board of County Commissioners of said County having determined that in the judgment of a majority of its members said petition is reasonable on its face;

IT IS HEREBY ORDERED, That a hearing be had on said petition at Court House & City Hall Building in said County, on Monday the 7th day of November, 1921, at 10 o'clock A.M. at which time and place said Board will hear all that may be said in favor of, and against, the granting of said petition.

IT IS FURTHER ORDERED, That M. J. Carr, R. P. Churchill, P. J. Farrell, H. H. Freeman, R. P. Keller, John Lind and L. C. Hodgson, members of this Board, be, and they hereby are, appointed a committee to examine said proposed change of said road, and that said Committee meet upon the route of said road at Larpentour and Phalen Boulevard, in said County, on Wednesday the 19th day of October, 1921, at 10 o'clock A.M. for the purpose of examination of said proposed change of said road, and make report thereof of said meeting of said Board hereinbefore specified, and that notices hereof be given and posted as provided by law.

The Board of County Commissioners
of Ramsey County, Minnesota

Attest:
Geo. J. Hies, County Auditor

By L. C. Hodgson, Chairman

Oct. 24, 1921

REPORT OF COMMITTEE

The following report of the Road and Bridge Committee relative to the change petitioned for on the Lake Phalen Boulevard was presented and read:

To the Board of County Commissioners
of the County of Ramsey, Minnesota:

The undersigned Committee appointed by you to examine the proposed change of a highway, as stated in the petition referred to in your order of appointment made on the 19th day of September, 1921, would respectfully report that we met at the time and place designated in your said order, and proceeded to examine the highway proposed to be changed viz:

Beginning at the North City Limits of St. Paul at the intersection of Phalen Boulevard and Larpenteur Avenue and running thence northwesterly parallel to the shore of Lake Phalen and terminating at Keller Parkway.

And do hereby by the opinion of a majority of said Committee recommend that the prayer of the petitioners be granted.

Given under our hands, this 19th day of October, 1921.

L. C. Hodgson
John Lind
P. J. Farrell
H. H. Freeman
Herbert P. Keller
H. P. Churchill

Committee

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HEARING ON PETITION

Hearing on the petition of Arthur H. Meisel and others for a change of a County Road being the widening of Phalen Boulevard north of Larpentaur Avenue was then taken up.

The following petition of protest presented by the property owners was then read:

To the Honorable Board of County Commissioners
of the County of Ramsey, State of Minnesota:

We, the undersigned, freeholders of Ramsey County, owners of the land through which the proposed change in Highway would pass, beg to hereby present to your Honorable Board our vigorous protest against the petitioned, proposed described change in road for the following reasons:

If the proposed change in road would be made, it will deprive us each of 2000 square feet or nearly one-third of our homestead property, consisting of the most valued portion thereof, making the same practically unfit as a home for which purpose the same was originally purchased and in that manner, infringe upon our personal rights as freeholders under the laws of the State, as it will bereave the owners thereof, who have purchased the same for their personal benefit, that invaluable portion of homestead property that is most dear to us and which we aim to cherish the most.

Below, your Honorable Board will find incorporated the measurements of that portion of Phalen Boulevard lying west and northwest of and adjacent to Lots 9, 10 and 11 and of that line running southeasterly terminating at Larpentaur Avenue as described in the petition:

Measurements taken from Northwest corners of lots shown:

Lot Nos.	2	4	6	8	10
Number of feet ungraded	22' - 4"	22' - 6"	15' - 6"	7' - 6"	6' - 1"

Entire Road bed available :	
when graded from present :	
property line to existing :	
lakeside slope	56' - 3" : 40' - : 31' - 3" : 31' : 42' - 1"

The foregoing measurements show conclusively that if the Park Board will grade that portion of the Park Property already set aside for Park and Boulevard purposes up to the below mentioned freeholders property line whose signatures are attached hereto, it will substantiate our contention without a question of doubt that there is sufficient property already set aside and allowed the Park Board for roadway purposes and we, therefore most strenuously object to the ceding of that portion of our property fronting on the Boulevard as demanded and petitioned, for reasons stated, and most earnestly pray that your Honorable Board will absolve us therefrom and instead join us in our pleadings, asking that the portion already set aside to the Park Board be graded and that this be done in such way as to eliminate the prevailing bend opposite lots #9, 10 and 11 and beyond.

Signed and dated this 7th day of November 1921.

A. E. Parsons	C. August Linka
Chas. A. Otto	Sarah Silberstein
James Duggan	W. Parsons

After hearing from Supt. of Parks, Fred Hussbaumer, who advised that the widening of this road was necessary and essential, the following final order was presented for adoption:

COUNTY OF RAMSEY)

IN THE MATTER OF THE PETITION OF

Arthur H Meisel, et al

FOR THE CHANGE OF A COUNTY ROAD

The above entitled matter came on for final hearing before the County Board of Ramsey County, State of Minnesota, on the 7th day of November 1921, at 10 o'clock A.M., at Court House and City Hall Building in said County and State and the said board having heard all parties interested and duly considered the same, finds as follows:

First: That said County contains more than 70,000 voters, and that said petition has been duly signed by Twenty-six freeholders of said County;

Second: That said petition was duly presented to said board at a session thereof on the 4th day of August, 1921, and on said date last stated said board, having first determined said petition to be reasonable on its face, did order a final hearing thereon at Court House and City Hall Building in said County and State on the 7th day of November, 1921, at 10 o'clock A.M., and did appoint from its members a committee consisting of Carr, Churchill, Farrell, Freeman, Keller, Lind and Hodgson to examine the route of said change of said road proposed in said petition, and did in said order fix the time and place upon said route at which said Committee should meet for said purpose, to-wit, at Larpenteur & Phalen Boulevard on the 19th day of October, 1921, at 10 o'clock A.M.;

Third: That said Board did cause notice of said hearing and of the said time and place of said meeting of said committee to be posted in each town affected by said proposed change of said road, to-wit: in the town of New Canada in said County, setting forth a copy of said petition at least twenty days before the time fixed for the meeting of said Committee and not less than thirty (30) days before said time of hearing on said petition; and that due proof of the posting of said notice has been made and filed herein;

Fourth: That said Committee did meet at the said time and place designated for their said meeting and did examine said proposed change designated in said petition, and have duly made and filed their report setting forth the courses and distances thereof and recommending the granting of said petition:

Fifth: That at said hearing said Board did hear all parties interested as to the necessity for, and as to the amount of the damages to land owners through whose land said proposed change of said road shall pass, assessing each parcel of land separately; and did thereupon determine that the said change of road is necessary and of sufficient advantage to warrant the payment of the damages assessed.

Nov. 14, 1921

DAMAGES AND BENEFITS

The hearing on the widening of Lake Phalen Boulevard north of Carpenter Avenue was taken up.

L. C. Seamer, Chief Clerk Bureau of Assessments, submitted the following list of damages and benefits in the matter of acquisition of a part of lots 1 to 11 inclusive, Block 3, Kavanaugh's & Dawson's Addition to Lake Side Park necessitated by the widening of said boulevard:

Owner	Lot	Block	Benefits	Damages	Bal. to Owner	Balance to County
Carl A. Linke	1	3	\$150.00	\$653.12	\$503.12	\$0.00
Same	2	3	125.00	562.50	437.50	0.00
Same	3	3	125.00	562.50	437.50	0.00
Same	4	3	125.00	562.50	437.50	0.00
Same	5	3	125.00	562.50	437.50	0.00
Charles A. Otto	6	3	125.00	675.00	550.00	0.00
					Land Damages	562.50
					Re-arrangement of Pump & foundation	112.50
						<u>675.00</u>
Axel E. Parsons	7	3	125.00	562.50	437.50	0.00
Oscar V. Parsons						
That part of	9	3				
lying S'y of a line drawn from the Southeast corner of said lot to a point on the West line thereof, 6.24 feet from the Southeast corner & all of Lot 8			139.00	625.71	486.71	0.00
Sara Silberstein						
That part of	9	3				
lying north of a line drawn from the Southeast corner of said lot to a point on the West line thereof, 6.24 ft. from the Southeast corner of said Lot 9			111.00	499.29	388.29	0.00
James P. Duggan	10	3	125.00	562.50	437.50	0.00
Carl A. Linke	11	3	30.00	84.60	54.60	0.00
			<u>\$1305.00</u>	<u>\$5912.72</u>	<u>\$4607.72</u>	<u>\$0.00</u>

Objections from all of the property owners were heard in which they stated that 40 ft. was too much property to be taken from these lots as the same would leave them only 100 ft. deep but were willing to concede the County taking a 20 ft. strip off their lots without objection excepting James P. Duggan, owner of Lot 10, who objected over to this amount on account of the raise of the grade at his place.

If this were done they were willing to accept one-half of the net damages as determined by the Bureau of Assessments.

Commissioner Keller made a motion seconded Carr that the Secretary notify the Department of Parks, Playgrounds and Public Buildings that the property owners adjoining said Boulevard were willing to concede to the County a 20 ft. strip without objection and accept one-half of the net damages awarded and request of the Park Board their opinion as to whether this would be sufficient property to widen said boulevard and same carried by the following vote: Ayes: Carr, Churchill, Farrell, Freeman, Keller, and Lind. Nays: None.

It was suggested by Commissioner Keller that the 40 ft. to be taken off the front of these lots stand as originally condemned and that Phalen Place in the rear of said lots be vacated to the intersection of Phalen Place and

Continued

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DAMAGES AND BENEFITS

Edward Avenue giving the property owners on either side of Phalen Place one-half of this road which would lengthen the size of the lots from which the 40 ft. strip is taken 21 feet. The owners of the property adjoining on this street could enter into an agreement among themselves providing for easement of a 20 ft. for alley purposes giving proper ingress and egress into their property.

The property owners were asked to agree among themselves on this proposition and after a conference on the matter they decided that they were willing to proceed to have Phalen Place vacated as outlined leaving the original award of damages as made by the Bureau of Assessments stand.

In order to give them time in which this may be done, the entire matter was on motion laid over for further consideration by the Board to December 5th, 1921.

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Dec. 5, 1921

HEARING

IN CONNECTION WITH WIDENING OF PHALEN BLVD.

The hearing in connection with the widening of Phalen Boulevard north of Larpeur Avenue as petitioned for was taken up for consideration.

The property owners interested therein being present, presented a petition and request that the W'ly 20 feet of Phalen Place adjacent to Lots 1 to 11, Block 3, Kavanaugh & Dawson's Addition to Lake Side Park be vacated and that said 20 feet so vacated be added to the rear of the above mentioned lots and that the 20 feet remaining of said street be declared and constituted a public alley.

This petition was ordered placed on file as the County Attorney advised that vacation of streets on plats can only be vacated by the District Court.

Carl A. Linke did not join in the petition with the balance of the property owners and entered an objection to the vacation of this street as petitioned for unless he was awarded damages therefor; his claim being that the lots in Block 1 would not sell as readily as though a 40 foot street remained.

The hearing on this matter was on motion laid over until a future meeting and all papers relating to the agreement and release of damages which are necessary in the proceedings of the widening of this road were referred to the County Attorney to prepare and submit to this Board at a subsequent meeting.

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June 9, 1922

ADDITIONAL DAMAGES ALLOWED

A. E. Parsons presented an estimate of cost of moving house at Lake Phalen on Lot 7, Block 3, Kavanaugh & Dawson's Addition to Lakeside Park. One estimate from John Bailey was for \$75.00 and another from W. J. Blomquist was for \$60.00.

In awarding damages on the condemnation of part of this property for the widening of Phalen Boulevard the moving of this house was overlooked.

For this reason Commissioner Keller made a motion seconded Lind that there be awarded to Mr. Parsons the sum of \$60.00 as tentative damages in addition to the amounts already awarded subject, however, to the approval of the County Attorney and same carried by the following vote: Ayes, Carr, Churchill, Farrell, Freeman, Keller, Lind and Hodgson. Nays, None.

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W. P. A. PROJECT O.P. 65-1-71-2868

Jan. 3, 1922

BENEFITS AND DAMAGES TO BE AMENDED.

Axel E. Parsons owner of Lot 7, Block 3, Kavanaugh & Dawson's Addition to Lake Side Park, advised that the appraisers in awarding damages to him in connection with condemnation of 40 ft. for Lake Phalen Boulevard, through oversight neglected to include an amount necessary covering the cost of moving the house back on the lot and requested that at this time that these damages be included.

Harry H. Peterson, Assistant County Attorney, advised that the original report of the award of benefits and damages may be amended.

Mr. Parsons was instructed to procure an estimate of cost of moving said house and report to this Board.

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Jan. 16, 1922

ADDITIONAL DAMAGES

In an opinion by Harry H. Peterson, Assistant County Attorney, he advises that the awarding of additional damages to A. E. Parsons in connection with the widening of Phalen Boulevard is within the power of the Board and the original damages agreement may be modified in view of the fact that these damages were originally omitted.

Same was ordered placed on file.

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FINAL AWARD OF DAMAGES

Chas. A. Otto, owner of Lot 6, Block 3, Kavanaugh & Dawson's Addition to Lakeside Park Addition informed the Board that there was omitted from the original damages assessment in the widening of Phalen Boulevard petition, the cost of moving his house back on this lot; the cost of which he estimates at \$60.00 and requested that the damage award be modified to this extent.

Commissioner Keller made a motion seconded Lind that the original assessment for benefits and damages on this road be modified to the extent of adding to Lot 6, Block 3, an amount of \$60.00 for damages occasioned by moving of the house on this lot and same carried by the following votes: Ayes, Carr, Farrell, Freeman, Keller, Lind, and Hodgson. Nays, Churchill.

In order that the proceedings in the matter of widening of Phalen Boulevard north of Larpenleur Avenue as petitioned for may be completed and in accordance with the final order adopted November 7, 1921, the board then proceeded to review the benefits and damages, accruing by reason of the widening of said road and assessed the same as follows, which in their judgment is fair to the County and to the property owners:

Owner	Lot	Block	Benefits	Damages	Balance to Bal. to	
					Owner	County
Carl A. Links	1	3	\$150.00	\$653.12	\$503.12	\$0.00
Same	2	3	125.00	562.50	437.50	0.00
Same	3	3	125.00	562.50	437.50	0.00
Same	4	3	125.00	562.50	437.50	0.00
Same	5	3	125.00	562.50	437.50	0.00
Charles A. Otto	6	3	125.00	735.00	550.00	0.00
				(Land Damages		\$562.50
				Re-arrangement of Pump		112.50
				and foundation		60.00
				Moving House		<u>60.00</u>
						\$735.00
Axel E. Parsons	7	3	125.00	562.50	437.50	0.00
				(Land Damages		562.50
				Moving House		60.00
						<u>60.00</u>
						622.50
Oscar V. Parsons						
That part of	9	3				
lying S'yly of a line						
drawn from the Southeast Corner of said lot to a point on the						
West line thereof, 6.24 ft. from the Southeast Corner						
& all of Lot 8			139.00	625.71	486.71	0.00
Sarah Silberstein						
That part of	9	3				
lying north of a line						
drawn from the Southeast corner of said lot						
to a point on the West line thereof, 6.24 ft.						
from the Southeast corner of						
said Lot 9			111.00	499.29	388.29	0.00
James P. Duggan	10	3	125.00	562.50	437.50	0.00
Carl A. Links	11	3	30.00	84.60	54.60	0.00

Commissioner Keller then made a motion seconded Lind that the appraisal of benefits and damages as above enumerated be adopted and same carried by the following vote: Ayes, Carr, Churchill, Farrell, Freeman, Keller, and Lind. Nays, None.