

STATE OF MINNESOTA)
) ss
 COUNTY OF RAMSEY)

The petition for the Vacation of all that part of the Old St. Paul and Centerville Road in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 32 Township 30 Range 22, lying southerly of the Northern Pacific Railroad Right of Way came on to be heard by the County Board of said county on the 17th day of June, 1940 at ten o'clock A. M. at the Court House and City Hall Building, St. Paul, Minnesota in said county; and said Board having considered said petition and heard all parties interested as to the necessity for, and as to the amounts of damages to land owners by reason of such vacation of such road as described in said petition, finds as follows:

That said petition was signed by not less than twenty-four freeholders of said county, was filed in the office of the County Auditor of said county on the 17th day of June, 1940; was laid before said Board at its first session thereafter, to-wit; on the 17th day of June, 1940, and appeared to said Board to be reasonable on its face; and that thereupon said Board did make its order designating the time and place for hearing on said petition, appointing from its members a committee to examine the route of said portion of said road, and fixing a time and place on said route for the meeting of said committee for such purpose; to which order on file in the office of said County Auditor reference is hereby made as a part hereof:

That at least twenty days before the said time so fixed for the meeting of said committee and not less than thirty days before said time of hearing on said petition said Board caused posted notice of the time and place of said meeting of said committee and of said hearing to be given in each town affected by said vacation of said road, setting forth in such notice a copy of said petition; and that proof of said notice and of the posting thereof has been made by affidavit of the person posting the same, to the satisfaction of said Board, which notice and affidavits of posting are on file in the office of said County Auditor and are referred to as a part hereof:

That the time and place designated in said order said committee did meet and examine the said portion of said road proposed in said petition to be vacated.

That after said examination said committee did submit to said Board at its next session thereafter, to-wit: on the 15 day of July, 1940 its report thereof setting forth the course and distances of said portion of said road, and recommending the granting of said petition; which report is on file in the office of said County Auditor and is hereby referred to as a part hereof

That at the time and place designated in said order, to-wit: on the 22 day of July, 1940 said Board heard said petition and said report of said committee thereon, heard all parties interested as to the necessity for said vacation of a portion of said road and as to the amounts of damages to land owners by reason thereof, did determine the damages to be sustained by each owner whose land will be affected thereby, did agree with said owners as to such damages wherever possible, in the manner following, to-wit:

(A) That the following named occupants and owners of the following described lands have released in writing all claims for damages on account of said vacation of a portion of said road, to-wit:

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Names of Owners	Description of Land
H. W. Roberts	S $\frac{1}{2}$ of S $\frac{1}{2}$ of the N E $\frac{1}{4}$ - Sec 32 Town 30 Range 22
August J. Garceau	Ex. R/W of Northern Pacific Railway, and except N. 10 acres thereof east of Centerville Road as des. in 485 of Deed Page 57; commencing at S. W. corner of N. E. $\frac{1}{4}$ thence North 40 Rods to point of beginning, thence east to east line of N. E. $\frac{1}{4}$, thence North 51 $\frac{3}{7}$ rods, thence west 1621.4 feet to center line of Centerville Road, thence Sw'ly along said center line 176.5 feet, thence west to west line of said N E $\frac{1}{4}$, thence south to beginning Sec. 32 Town 30 Range 22

(B) That the following named occupants and owners of the following described lands have by agreement in writing with said Board fixed their damages on account of said vacation of a portion of said road as follows, to-wit:

Names of Owners	Description of Land	Damages
None	None	None

(C) That said Board then did assess the damages of each known and unknown claimant who did not release his claim and with whom it was unable to agree as to such damages; and in so doing did determine the gross damage of each, the money value of benefits to each, deduct such benefits from such damages, and award the difference as net damages; and that the names of occupants and owners, the description of their said land, the gross damages, benefits, and net damages, as so determined, are as follows, to-wit:

NAMES OF OWNERS	DESCRIPTION OF LAND	GROSS DAMAGES	BENEFITS	NET DAMAGE
NONE	NONE	NONE	NONE	NONE

That all said releases of damages and agreements as to damages are on file in the office of said County Auditor and are hereby referred to as a part hereof:

As conclusions from the foregoing findings, that said vacation of a portion of said road is hereby determined to be desirable and of sufficient advantage to warrant the payment of the damages as herein determined: and IT IS HEREBY DECLARED AND ORDERED That said petition be, and hereby is, granted, and said road be, and hereby is vacated as a county road $\frac{1}{4}$ rods wide, the center line thereof to run as follows, to-wit:

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All that part of the old St. Paul & Centerville Road in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 32 Township 30 Range 22, lying southerly of the Northern Pacific Railroad right-of-way

in said county; that said releases of damages, agreements as to damages, and (assessments of damages, benefits, and net damages, be, and) hereby are, in all things established and confirmed, and said damages paid by said count; and that said road be vacated.

THE COUNTY BOARD OF RAMSEY COUNTY, MINNESOTA

By John J. McDonough

Chairman

Attest:

Eugene A. Monick

County Auditor

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STATE OF MINNESOTA)
 COUNTY OF RAMSEY) ss

TO THE COUNTY BOARD OF SAID COUNTY:

Your undersigned petitioners represent and state:

That they are each and all freeholders in said county and hereby petition for the Vacation of a County Road 4 rods wide - All that part of the old St. Paul & Centerville Road in the South 1/2 of the Northeast 1/4 of Section 32 Township 30 Range 22, lying south-erly of the Northern Pacific Railroad right-of-way, over and across the following described lands of the following named persons, to-wit:

Names of Owners	Descriptions	Section	Town	Range
H. W. Roberts	S 1/2 of S 1/2 of the NE 1/4	32	30	22
August J. Garceau	Ex. R/W of Northern Pacific Railway, and except N. 10 acres thereof east of Centerville Road as des. in 485 of Deed Page 57: commencing at S. W. corner of N. E. 1/4 thence North 40 Rods to point of beginning, thence east to east line of N. E. 1/4, thence North 51 3/7 rods, thence west 1621.4 feet to center line of Centerville Road, thence S w'ly along said center line 176.5 feet, thence west to west line of said NE 1/4, thence south to beginning	32	30	22

along the following route as the center line thereof, to-wit: beginning on North line of County Road "D", thence running through the S 1/2 of the North East 1/4 of Section 32 Township 30 Range 22, and terminating at Northern Pacific Railroad Right of Way, and pray that you will hear and grant this petition according to law.

SIGNATURES OF PETITIONERS

Russell Nelson
 Joe. E. Koalska
 Ernest Moller
 Mrs. John Gardner
 Mrs. E. J. Hjelm
 E. A. Burlingame
 Mrs. J. Rial
 C. J. Green
 E. Stendal
 Peter Westlund
 Mrs. Leonard Wiles
 L. J. Green
 E. Lindgren
 C. O. Kinneberg

SIGNATURES OF PETITIONERS

Arthur N. Kane
 Chas. Vanden Acker
 Leo Moltmier
 Mr. Joseph Tschida
 Mrs. F. C. Pistraschke
 S. A. Kroiss
 Mrs. Peter Nehr
 H. S. Westlund
 John Kerbel
 Andrex Auge
 Glen R. Reinhardt
 Robert Briggs
 J. A. Momm

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The petition was declared in the judgment of a majority of the members of the Board to be reasonable on its face. Thereafter, Commissioner Sudheimer moved the adoption of the following order of hearing and appointment of Committee, seconded by Commissioner Schmidt. Roll call: Ayes - Peter, Rohland, Schmidt, Sudheimer, Swan and McDonough, Nays - None.

That said Board has considered said petition and found the same to be reasonable on its face and made and filed its order fixing a time and place for hearing thereon and appointing a committee of its members to-wit: Commissioners Swan, Rohland, Peter, Schmidt, Carr, Sudheimer, and County Surveyor Harry S. Bronson and Assistant County Attorney Andrew R. Bratter to examine the route of said Vacation of said road and fixing the time and place on said route for the meeting of said Committee; and that, pursuant to said order, the said Committee will meet on the 11th day of July, 1940 at 10:30 o'clock A. M. at Edgerton St. and County Road "D2" on said route of said road to examine the same; and that said petition, together with the report of said committee thereon, will be heard by said Board on the 22nd day of July, 1940, at its adjourned regular session at ten o'clock A. M. in the Board of County Commissioners Room on the third floor of the Court House and City Hall Building, St. Paul, Minnesota, when all persons, both for and against the granting of said petition, will be heard.

BY ORDER OF THE COUNTY BOARD OF
RAMSEY COUNTY, MINNESOTA

Eugene A. Monick

County Auditor

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TO THE COUNTY BOARD OF
RAMSEY COUNTY, MINNESOTA

Your undersigned committee appointed to examine the route as shown below of the road proposed and designated in the petition of H. W. ROBERTS and others therefore, report thereon as follows:

That we met at Edgerton St. and County Road "D2" on said route of said proposed road on the 11th day of July, 1940, at 10:30 o'clock A. M., the same being the time and place fixed for such meeting in your order dated the 17th day of June, 1940, and did examine the route of said proposed vacation of said road and hear and consider all persons and reasons for and against the same.

That from said examination and due consideration of all reasons for and against the same, we hereby recommend the Granting of said petition for said vacation of said portion of said road along the course and distances following, to-wit:

All that part of the old St. Paul & Centerville Road in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 32 Township 30 Range 22, lying southerly of the Northern Pacific Railroad Right of Way,

Dated July 11, 1940.

Harry S. Bronson.

Harry S. Bronson, County Surveyor

James D. Swan

James D. Swan, County Commissioner

L. H. Peter

Louis H. Peter, County Commissioner

Tony Schmidt

Tony Schmidt, County Commissioner

Commissioner Swan moved that the petition for the VACATION be granted and that the FINAL ORDER, which is as follows be approved, seconded by Commissioner Schmidt. Roll call: Ayes - Schmidt, Sudheimer, Swan and Peter. Nays - None.

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