

**PETITION TO VACATE CITY INTEREST**

We, the undersigned, constituting a majority of the owners of the abutting properties, do hereby petition the Council of the City of St. Paul to vacate its interests in the property (the "Property") legally described as follows:

That portion of unopened East Sixth Street lying south of Lot 4, Casci's Subdivision, and north of Lots 1 and 2, Stille's Addition.

We request this vacation for the following reason(s):

To the best of the undersigned's knowledge the Property has not been used for any public purpose for at least 40 years. Both of the undersigned adjacent landowners (as well as the previous owners of 637 Hazel) have taken care of and used the Property as if it was actually owned by them and treated it accordingly for at least the last 40 years.

There are no current plans of any development intended for construction on the Property.

**Contact Person:**

Name: John M. Miller, Esq.  
Address: Peterson, Fram & Bergman, P.A.  
55 East Fifth Street, Suite 800  
St. Paul, MN 55101  
Phone: (651) 291-8955  
Email: [jmiller@pfb-pa.com](mailto:jmiller@pfb-pa.com)

**Person(s) responsible for payment of vacation fee and for acceptance of the terms and conditions of the vacation:**

Name: Brett Horttor  
Address: 1959 North Park Drive  
St. Paul, MN 55119  
Phone: (651) 738-3891  
Email: [bhorttor@comcast.net](mailto:bhorttor@comcast.net)

-and-

**Alternate Contact Person:**

Name: Brett Horttor  
Address: 1959 North Park Drive  
St. Paul, MN 55119  
Phone: (651) 738-3891  
Email: [bhorttor@comcast.net](mailto:bhorttor@comcast.net)

Name: John Erichsen  
Address: 623 Hazel Street  
St. Paul, MN 55119  
Phone: 651-735-5026  
Email: N/A

Signatures of Owner(s)/Representative(s) of Properties Described Below:

Signatures of Owner(s)/Representative(s) of Properties Described Below:

Owners of: 623 North Hazel

Owners of: 637 North Hazel

John K. Erichsen  
John K. Erichsen  
A KE

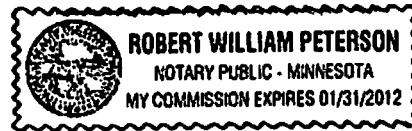
Brett Horttor  
Brett Horttor

Jane K. Erichsen  
Jane K. Erichsen  
K E

STATE OF MINNESOTA )  
COUNTY OF Ramsey ) .SS

This instrument was acknowledged before me on August 16<sup>th</sup> 2011 by John <sup>A</sup>K. Erichsen and Jane <sup>KE</sup>K. Erichsen.

Subscribed and sworn to before me on this 16<sup>th</sup> day of August, 2011.

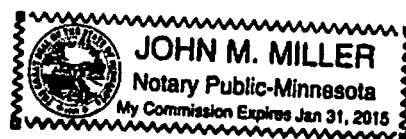


Robert William Peterson  
Notary Public

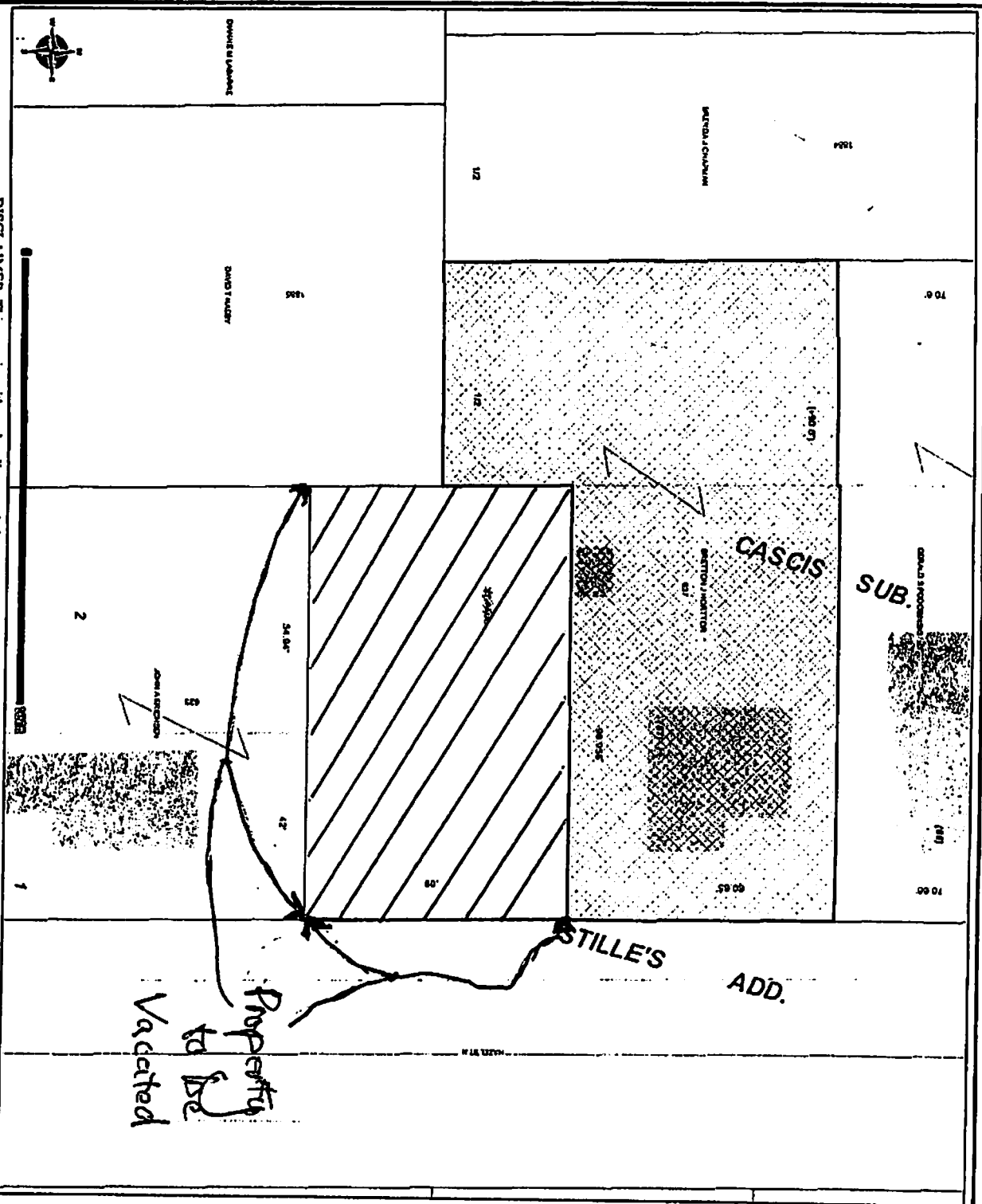
STATE OF MINNESOTA )  
COUNTY OF Ramsey ) .SS

This instrument was acknowledged before me on 8.18.11 by Brett Horttor.

Subscribed and sworn to before me on this 18<sup>th</sup> day of 2011, 2011.



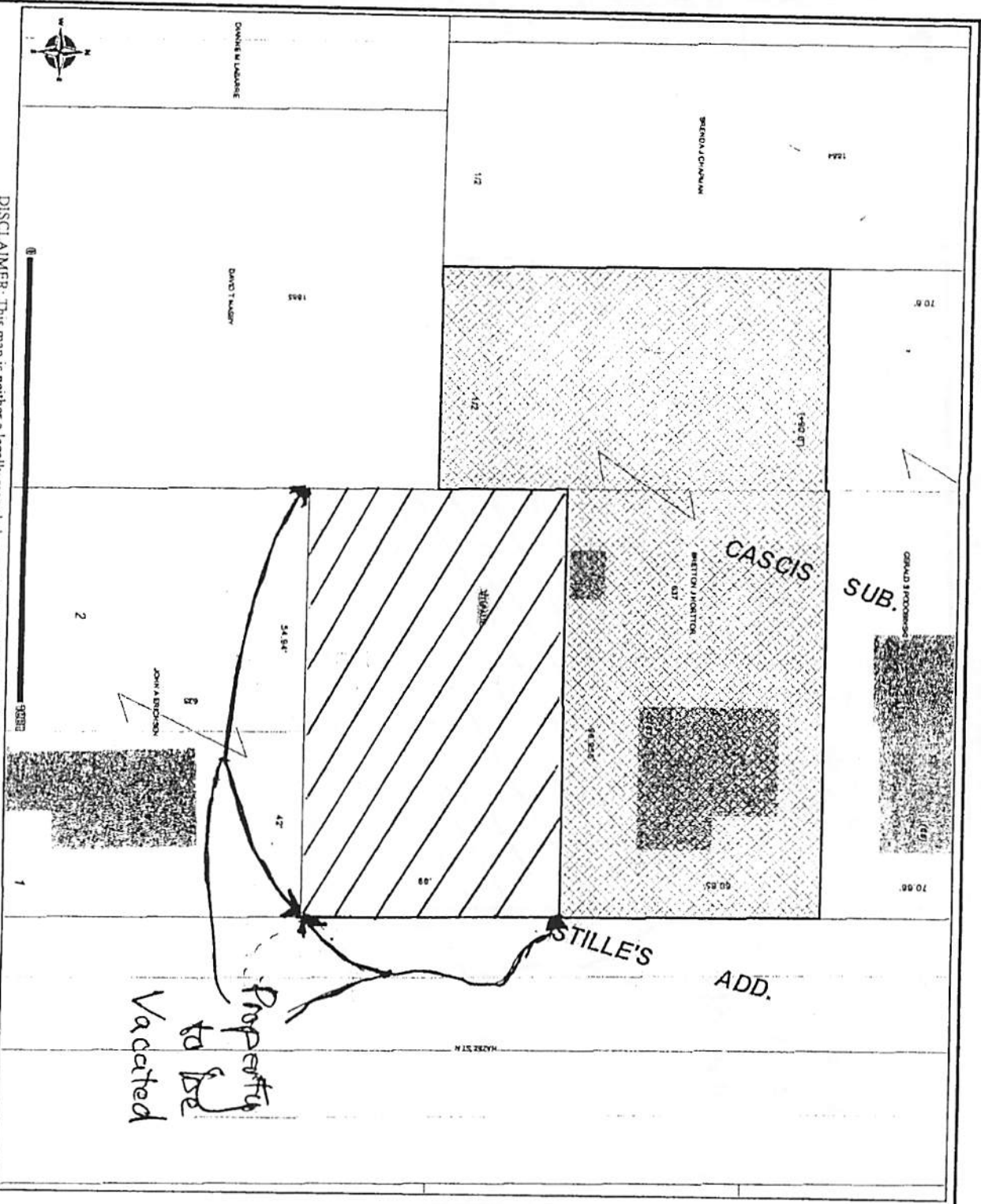
John M. Miller  
Notary Public



- Selected Features
- Parcel Points
- Municipalities
- Road Centlines (County)
- County Road
- Interstate Hwy
- State Hwy
- Roads
- Pavement Edge
- Water
- Structures
- Parcel Polygons
- Parcel Lines and Land Tics
- Land Tics
- Planned Lot Lines
- Gen Land Use 2000
- Agricultural
- Airport
- Farmstead
- Golf Course
- Industrial and Utility
- Institutional
- Major Highway
- Manufactured Housing Parks
- Mixed Use Commercial and Office
- Road Use Industrial
- Road Use Residential
- Multi Family
- Office
- Park, Recreational or Preserve
- Railway
- Retail and Other Commercial
- Single Family Attached
- Single Family Detached
- Undeveloped
- Water
- Parcel Map Labels
- Primary Owner
- Highway Shields
- Street Name Labels

**DISCLAIMER:** This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

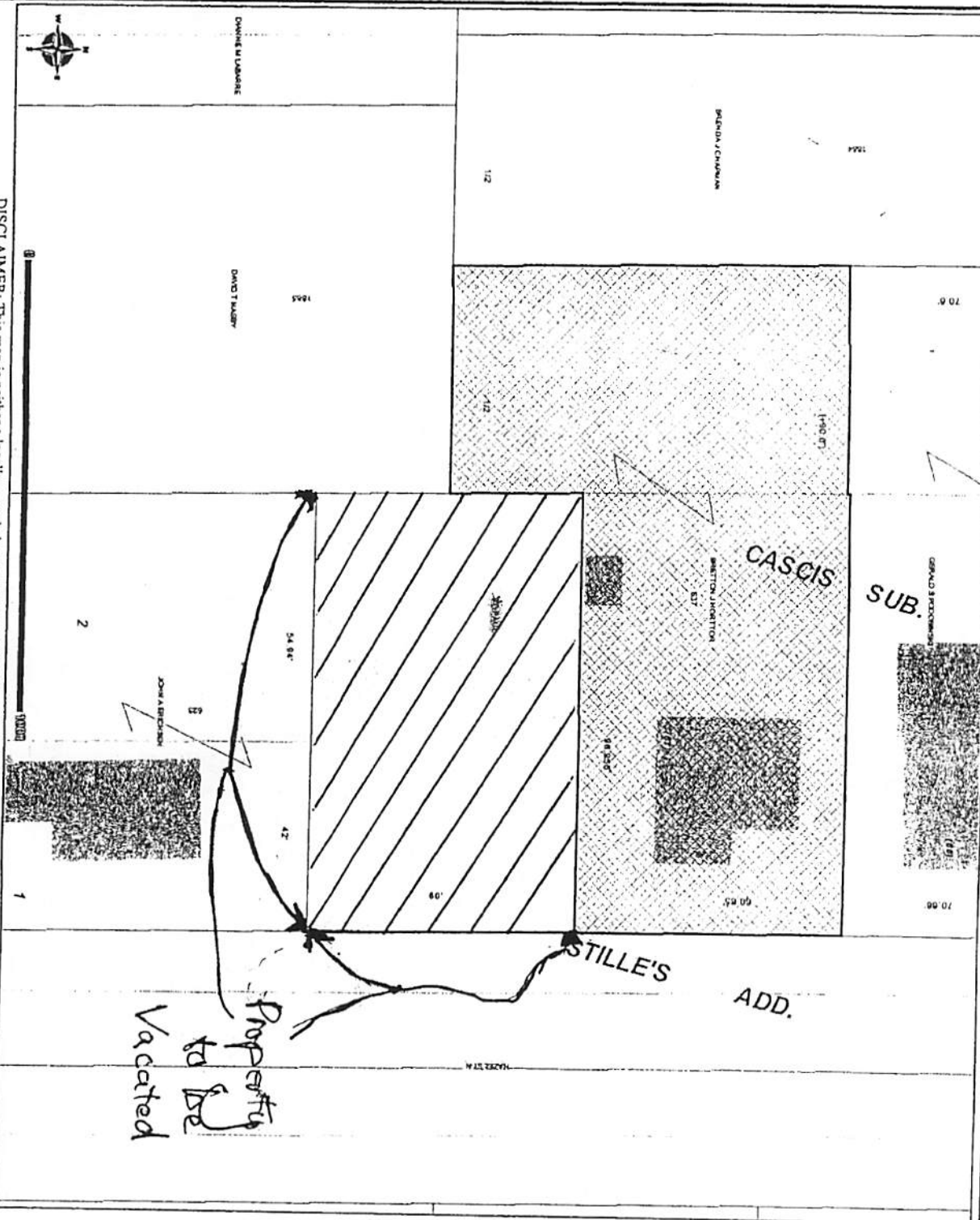
**SOURCES:** Ramsey County (April 4, 2011), The Lawrence Group/April 4, 2011 for County parcel and property records data, April 2011 for commercial and residential data, April 2009 for color aerial image.... All other



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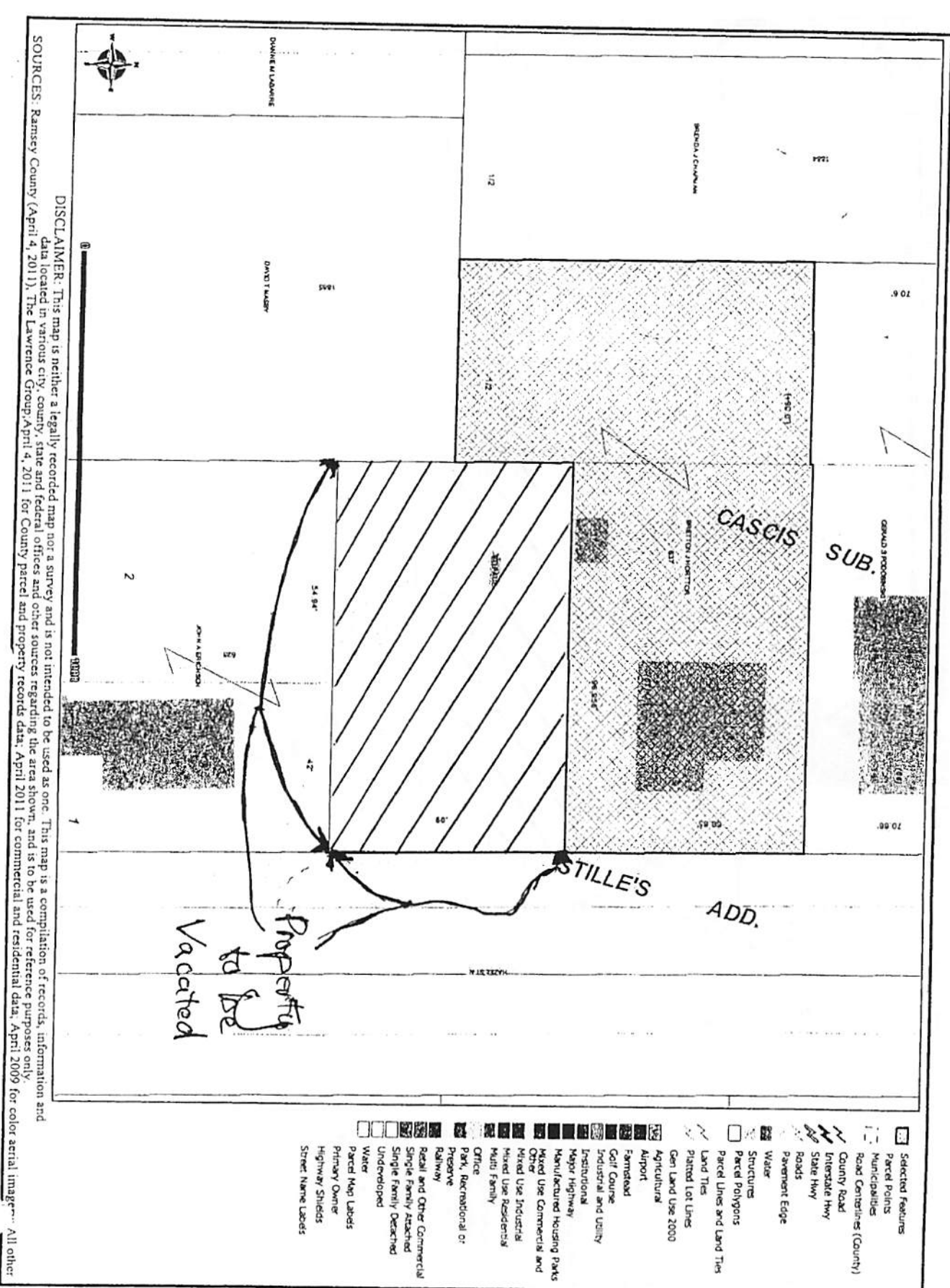
SOURCES: Ramsey County (April 4, 2011), The Lawrence Group, April 4, 2011 for County parcel and property records data, April 2011 for commercial, and residential data, April 2009 for color aerial image. All other



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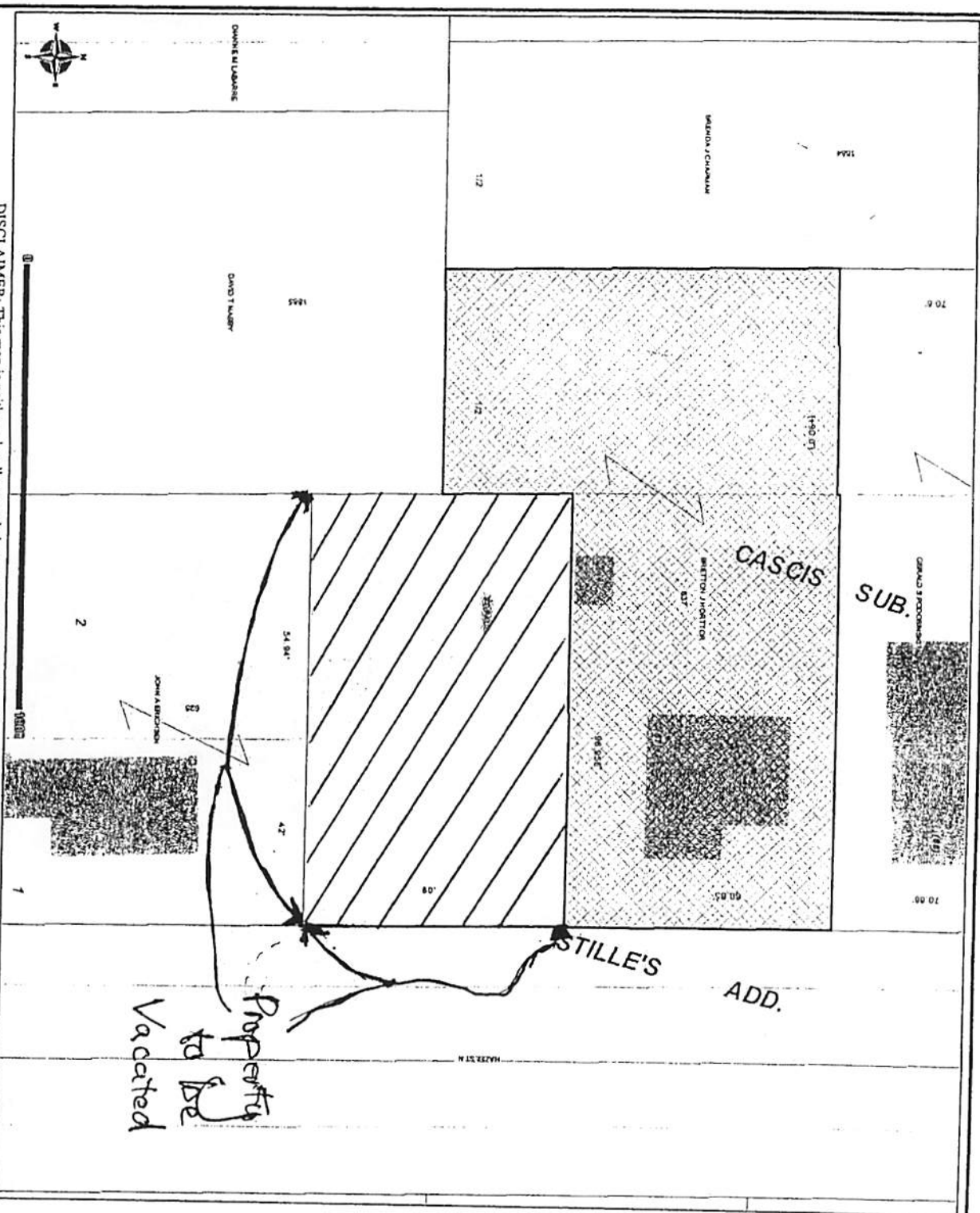
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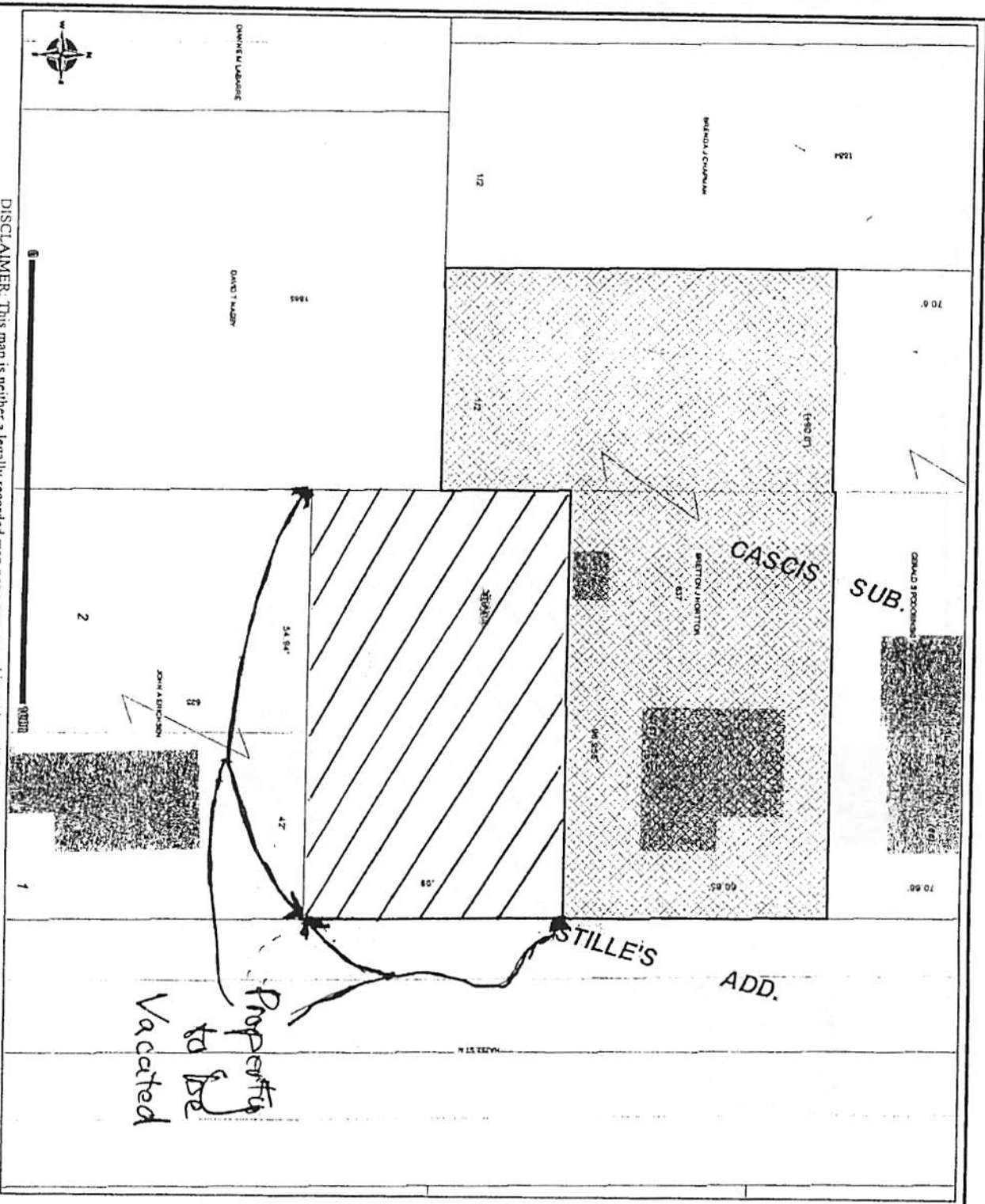


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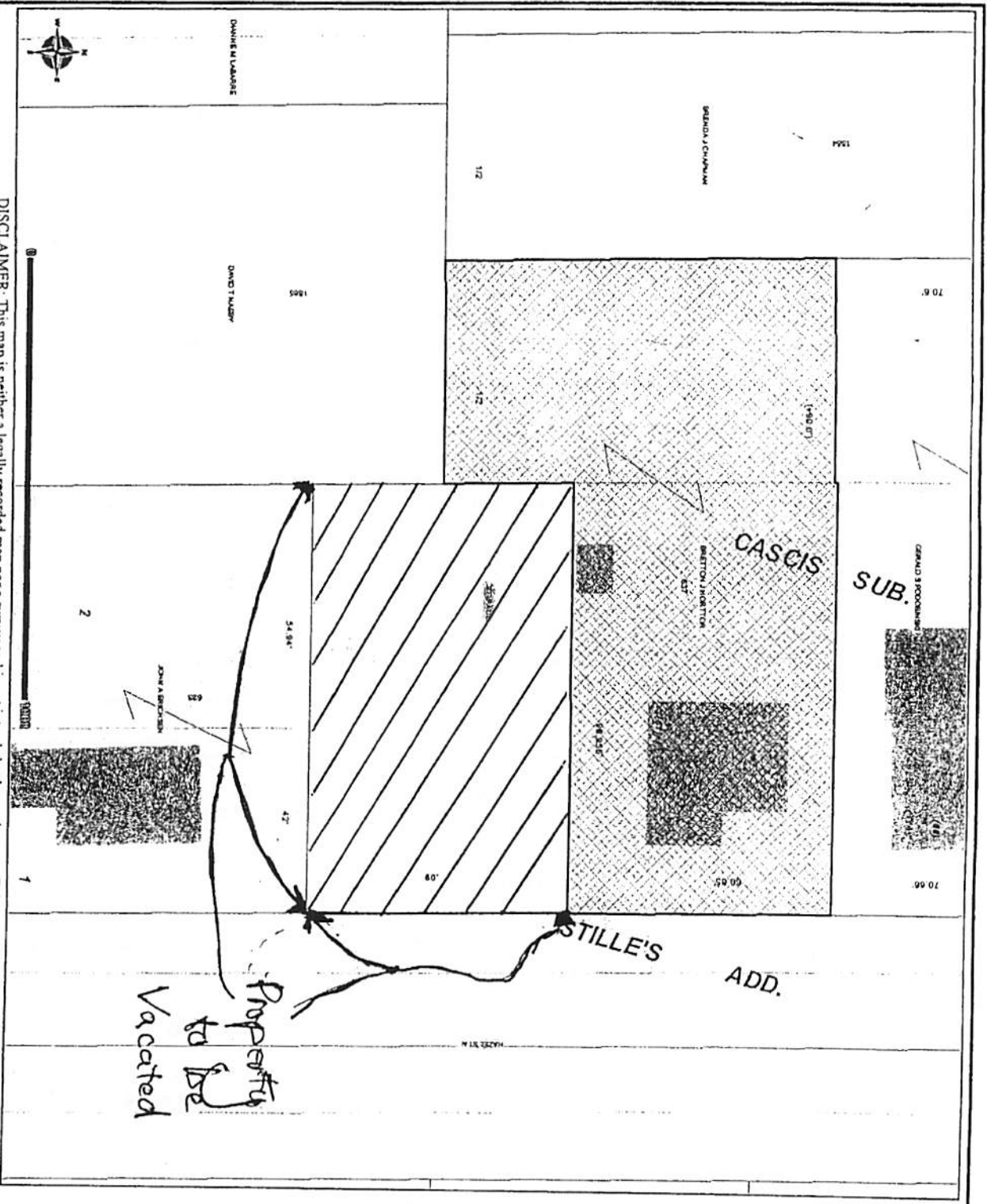


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# Condition of Certificate of Title

Certificate Number: **570571**

Document Number: **2037828**

Transfer From Certificate Number: **569932**

Originally registered the 28th day of August, 1909.

Book: **17**

Page: **45**

Dist. Court No.: **868**

Also originally registered the 28th day of August, 1909.

Book: **17**

Page: **44**

Dist. Court No.: **868**

State of Minnesota  
County of Ramsey

} s.s.

REGISTRATION

This is to certify that

Bretton J. Horttor, 1959 North Park Drive, City of Saint Paul, County of Ramsey, State of Minnesota, Zip Code of 55119 is now the owner of an estate in fee simple

of and in the following described land situated in the County of Ramsey and State of Minnesota,

Lot 4, Casci's Subdivision;

The South 90.6 feet of the East half of Lot 2, Block 3, Robert L. Ware's Eastern Heights.

Subject to the interests shown by the following memorials and to the following rights or encumbrances set forth in Minnesota statutes chapter 508, namely:

1. Liens, claims, or rights arising under the laws or the Constitution of the United States, which the statutes of this state cannot require to appear of record;
2. Any real property tax or special assessment;
3. Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
4. All rights in public highways upon the land;
5. Such right of appeal or right to appear and contest the application as is allowed by law;
6. The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;
7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

STATE OF MINNESOTA  
COUNTY OF RAMSEY

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of my office this 28th day of April, 2008.

THIS IS A CONDITION OF THE REGISTER AS TO THE WITHIN CERTIFICATE OF TITLE ON FILE IN THE OFFICE OF THE REGISTRAR OF TITLES AS OF

**Mark E. Oswald**

Registrar of Titles,

In and for the County of Ramsey and State of Minnesota.

Aug 5, 2011  
BY: James W. Oswald

# Condition of Certificate of Title

Certificate Number: **243769**

Document Number: **557450**

Transfer From Certificate Number: **234479**

Originally registered the 28th day of August, 1909.

Book: **17**

Page: **69**

Dist. Court No.: **868**

State of Minnesota  
County of Ramsey

} s.s.

REGISTRATION

This is to certify that

John A. Erichsen, City of Saint Paul, County of Ramsey, State of Minnesota, and  
Jane K. Erichsen, City of Saint Paul, County of Ramsey, State of Minnesota, as joint tenants  
are now the owners of an estate in fee simple

In the following described land situated in the County of Ramsey and State of Minnesota, to wit:

Lot 1, Stille's Addition

Subject to a reservation for the State of Minnesota of all minerals and mineral rights.

Subject to the interests shown by the following memorials and to the following rights or encumbrances set forth in Minnesota statutes chapter 508, namely:

1. Liens, claims, or rights arising under the laws of the Constitution of the United States, which the statutes of this state cannot require to appear of record;
2. Any real property tax or special assessment for which a sale of the land has not been had at the date of the certificate of title;
3. Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
4. All rights in public highways upon the land;
5. Such right of appeal or right to appear and contest the application as is allowed by law;
6. The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;
7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

Document Number	Document Type	Date of Registration Month Day, Year Time	Amount (\$)	Running in Favor of
531856	Trust Indenture	Jan 16, 1969 02:30 PM		Northland Mortgage Investments, Inc. to Northwestern National Bank of Minneapolis, Trustee and Metropolitan Life Insurance Company
534062	Mortgage	Apr 14, 1969 12:20 PM	13,500.00	Northland Mortgage Company
534450	Assignment of Mortgage	Apr 25, 1969 01:10 PM		Northland Mortgage Investments, Inc. Assigns document no. 534062
534451	Assignment of Mortgage	Apr 25, 1969 01:10 PM		Northwestern National Bank of Minneapolis, as Trustee for Metropolitan Life Insurance Company Assigns document no. 534062
554810	Assignment of Mortgage	Feb 23, 1971 09:30 AM		Metropolitan Life Insurance Company Assigns document no. 534062
557937	Mortgage	Jun 07, 1971 01:30 PM	1,895.76	Eastern Heights State Bank of St. Paul
592917	Certificate	Nov 14, 1973 02:00 PM		City of Saint Paul
592918	Vacation	Nov 14, 1973 02:00 PM		Vacates alley adjoining above property
598072	Satisfaction of Mortgage	Apr 23, 1974 09:40 AM		Satisfies document no. 557937
864584	Mortgage	Mar 28, 1988 02:30 AM	15,480.40	American National Bank and Trust Company, a United States corporation. Also covers other property
933779	Mortgage	Oct 22, 1990 10:00 AM	15,000.00	American National Bank and Trust Company Also covers other property
1184239	Satisfaction of Mortgage	Apr 14, 1998 02:00 PM		Satisfies document no. 864584

Document Number	Document Type	Date of Registration Month Day, Year Time	Amount (\$)	Running in Favor of
1508596	Mortgage	Dec 31, 1998 04:30 PM	50,000.00	Firstar Bank U.S.A., N.A., 1529 White Oak Drive, City of Waukegan, State of Illinois Also covers other property
1509591	Satisfaction of Mortgage	Jan 22, 1999 04:30 PM		Satisfies document no. 933779
1623077	Mortgage	Jan 09, 2001 01:00 PM	17,000.00	Firstar Bank, N.A., 1850 Osborn Avenue, City of Oshkosh, State of Wisconsin
2138068	Satisfaction of Mortgage	Mar 22, 2011 09:00 AM		Satisfies document no(s). 1623077.0

STATE OF MINNESOTA  
COUNTY OF RAMSEY


IN WITNESS WHEREOF, I have hereunto subscribed my name  
and affixed the seal of my office this 25th day of May, 1971.

THIS IS A CONDITION OF THE REGISTER AS TO THE  
WITHIN CERTIFICATE OF TITLE ON FILE IN THE OFFICE  
OF THE REGISTRAR OF TITLES AS OF

**Robert T. Gibbons**

Registrar of Titles,

In and for the County of Ramsey and State of Minnesota.

Aug 5, 2011  
BY: 



# Condition of Certificate of Title

Certificate Number: **250743**

Document Number: **576083**

Transfer From Certificate Number: **235216**

Originally registered the 28th day of August, 1909.

Book: **17**

Page: **69**

Dist. Court No.: **868**

State of Minnesota  
County of Ramsey

} s.s.

REGISTRATION

This is to certify that

John A. Erichsen, City of Saint Paul, County of Ramsey, State of Minnesota, and  
Jane K. Erichsen, City of Saint Paul, County of Ramsey, State of Minnesota, as joint tenants  
are now the owners of an estate in fee simple.

In the following described land situated in the County of Ramsey and State of Minnesota, to wit:

Lot 2, Stille's Addition

Subject to the interests shown by the following memorials and to the following rights or encumbrances set forth in Minnesota statutes chapter 508, namely:

1. Liens, claims, or rights arising under the laws or the Constitution of the United States which the statutes of this state cannot require to appear of record;
2. Any real property tax or special assessment for which a sale of the land has not been had at the date of the certificate of title;
3. Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
4. All rights in public highways upon the land;
5. Such right of appeal or right to appear and contest the application as is allowed by law;
6. The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;
7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

Document Number	Document Type	Date of Registration Month Day, Year Time	Amount (\$)	Running In Favor of
592917	Certificate	Nov 14, 1973 02:00 PM		City of Saint Paul
592918	Vacation	Nov 14, 1973 02:00 PM		Vacates alley adjoining above property
864584	Mortgage	Mar 28, 1988 02:30 AM	15,480.40	American National Bank and Trust Company, a United States corporation. Also covers other property
933779	Mortgage	Oct 22, 1990 10:00 AM	15,000.00	American National Bank and Trust Company Also covers other property
1184239	Satisfaction of Mortgage	Apr 14, 1998 02:00 PM		Satisfies document no. 864584
1508596	Mortgage	Dec 31, 1998 04:30 PM	50,000.00	Firstar Bank U.S.A., N.A., 1529 White Oak Drive, City of Waukegan, State of Illinois Also covers other property
1509591	Satisfaction of Mortgage	Jan 22, 1999 04:30 PM		Satisfies document no. 933779
1623077	Mortgage	Jan 09, 2001 01:00 PM	17,000.00	Firstar Bank, N.A., 1850 Osborn Avenue, City of Oshkosh, State of Wisconsin
1630335	Assignment of Mortgage	Mar 26, 2001 01:00 PM		PNC Bank, N.A., 2730 Liberty Avenue, City of Pittsburgh, State of Pennsylvania Assigns document no(s). 1623077.0
1782580	Satisfaction of Mortgage	Oct 10, 2003 03:00 PM		Satisfies document no(s). 1623077
2138087	Satisfaction of Mortgage	Mar 22, 2011 08:00 AM		Satisfies document no(s). 1508596.0

STATE OF MINNESOTA  
COUNTY OF RAMSEY

IN WITNESS WHEREOF, I have hereunto subscribed my name  
and affixed the seal of my office this 2nd day of October, 1972.

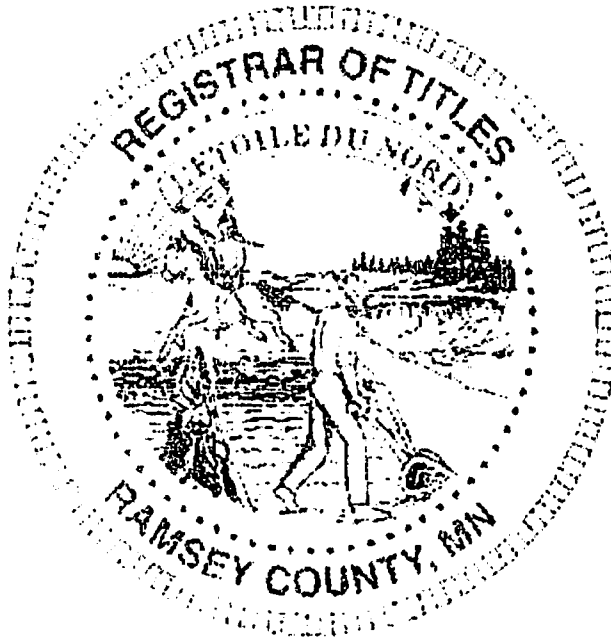
THIS IS A CONDITION OF THE REGISTER AS TO THE  
WITHIN CERTIFICATE OF TITLE ON FILE IN THE OFFICE  
OF THE REGISTRAR OF TITLES AS OF

**Robert T. Gibbons**

Registrar of Titles,

In and for the County of Ramsey and State of Minnesota.

Aug 5, 2011  
BY: James W. Lund



# Condition of Certificate of Title

Certificate Number: **387662**

Document Number: **1164846**

Transfer From Certificate Number: **303627**

Originally registered the 28th day of August, 1909.

Book: **17**

Page: **68**

Dist. Court No.: **868**

State of Minnesota  
County of Ramsey

} s.s.

REGISTRATION

This is to certify that

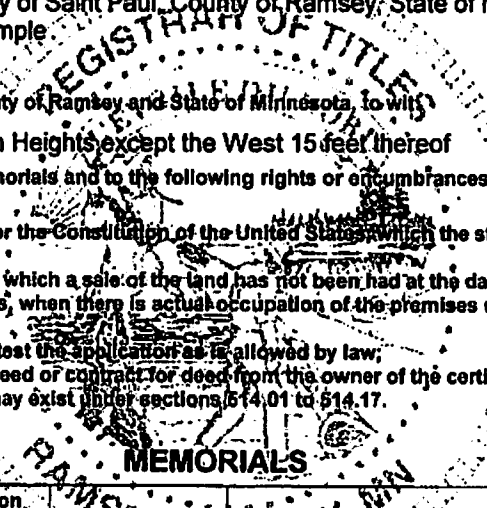
David T Nasby, 1885 5th Street East, City of Saint Paul, County of Ramsey, State of Minnesota, and  
Debra A Nasby, 1885 5th Street East, City of Saint Paul, County of Ramsey, State of Minnesota, as joint tenants  
are now the owners of an estate in fee simple

In the following described land situated in the County of Ramsey and State of Minnesota, to wit:

Lot 25, Block 3, Robert L. Ware's Eastern Heights, except the West 15 feet thereof

Subject to the interests shown by the following memorials and to the following rights or encumbrances set forth in Minnesota statutes chapter 608, namely:

1. Liens, claims, or rights arising under the laws or the Constitution of the United States which the statutes of this state cannot require to appear of record;
2. Any real property tax or special assessment for which a sale of the land has not been had at the date of the certificate of title;
3. Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
4. All rights in public highways upon the land;
5. Such right of appeal or right to appear and contest the application as is allowed by law;
6. The rights of any person in possession under deed of contract for deed from the owner of the certificate of title;
7. Any outstanding mechanics lien rights which may exist under sections 614.01 to 614.17.



Document Number	Document Type	Date of Registration Month Day, Year Time	Amount (\$)	Running In Favor of
628260	Mortgage	Sep 09, 1976 01:10 PM	21,150.00	Conservative Mortgage Company
630802	Assignment of Mortgage	Nov 02, 1976 10:00 AM		Eimbre Savings and Loan Association Assigns document no(s). 628260.0
755014	Assignment of Mortgage	Apr 02, 1984 09:10 AM		Morgan Guaranty Trust Company of New York, as Trustee under Declaration of Trust dated December 9, 1960 for the Commingled Pension Trust Fund. Assigns document no(s). 628260.0
1108858	Assignment of Mortgage	Dec 21, 1995 09:00 AM		Chase Manhattan Bank, N.A., as Bailee and Custodian for the Purchaser of the Mortgage Loans Pursuant to the Mortgage Loan Purchase Agreement dated as of September 20, 1995. Assigns document no(s). 628260.0
1164847	Mortgage	Sep 19, 1997 08:00 AM	60,108.00	TCF Mortgage Corporation, a Minnesota corporation
1164848	Assignment of Mortgage	Sep 19, 1997 08:00 AM		Homeside Lending, Inc., a Florida corporation Assigns document no(s). 1164847.0
1594496	Satisfaction of Mortgage	Mar 08, 2000 12:00 PM		Satisfies document no(s). 628260.0
1668905	Satisfaction of Mortgage	Jan 15, 2002 01:00 PM		Satisfies document no(s). 1164847.0
1883072	Bankruptcy	Apr 10, 2002 12:00 PM		Exempt property of David Terrance Nasby and Debra Ann Nasby, bankrupt Case No. BKY 01-35978
1683073	Bankruptcy	Apr 10, 2002 12:00 PM		RE: Discharge of Debtor - David Terrance Nasby and Debra Ann Nasby Case No. 3-91-05978
1691639	Mortgage	Jun 10, 2002 01:00 PM	71,850.00	ABN Amro Mortgage Group, Inc., a Delaware corporation, 2600 West Big Beaver Road, City of Troy, State of Michigan



Document Number	Document Type	Date of Registration Month Day, Year Time	Amount (\$)	Running In Favor of
1739181	Satisfaction of Mortgage	Mar 14, 2003 08:00 AM		Satisfies document no(s). 1691639.0
1761845	Mortgage	Jul 11, 2003 10:00 AM	82,600.00	ABN Amro Mortgage Group, Inc., a Delaware corporation, 2600 West Big Beaver Road, City of Troy, State of Michigan
1949475	Mortgage	Jan 30, 2006 02:00 PM	108,351.46	Beneficial Loan & Thift Co., a Minnesota corporation, 395 N. Robert Street Suite 102, City of Saint Paul, State of Minnesota
1952435	Satisfaction of Mortgage	Feb 23, 2006 04:00 PM		Satisfies document no(s). 1761845.0
1988447	Mortgage	Dec 08, 2006 01:00 PM	127,000.00	Bank of America N.A., 1201 Main Street, 7th Floor, City of Dallas, State of Texas
1990592	Satisfaction of Mortgage	Dec 27, 2006 04:00 PM		Satisfies document no. 1949475.

STATE OF MINNESOTA  
COUNTY OF RAMSEY

IN WITNESS WHEREOF, I have hereunto subscribed my name  
and affixed the seal of my office this 19th day of September, 1997.

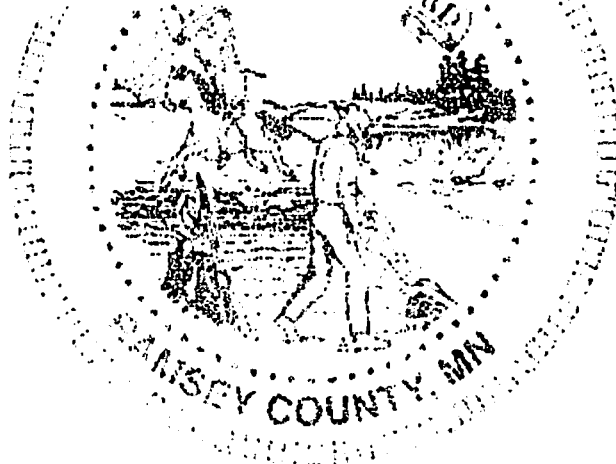
THIS IS A CONDITION OF THE REGISTER AS TO THE  
WITHIN CERTIFICATE OF TITLE ON FILE IN THE OFFICE  
OF THE REGISTRAR OF TITLES AS OF

Registrar of Titles,

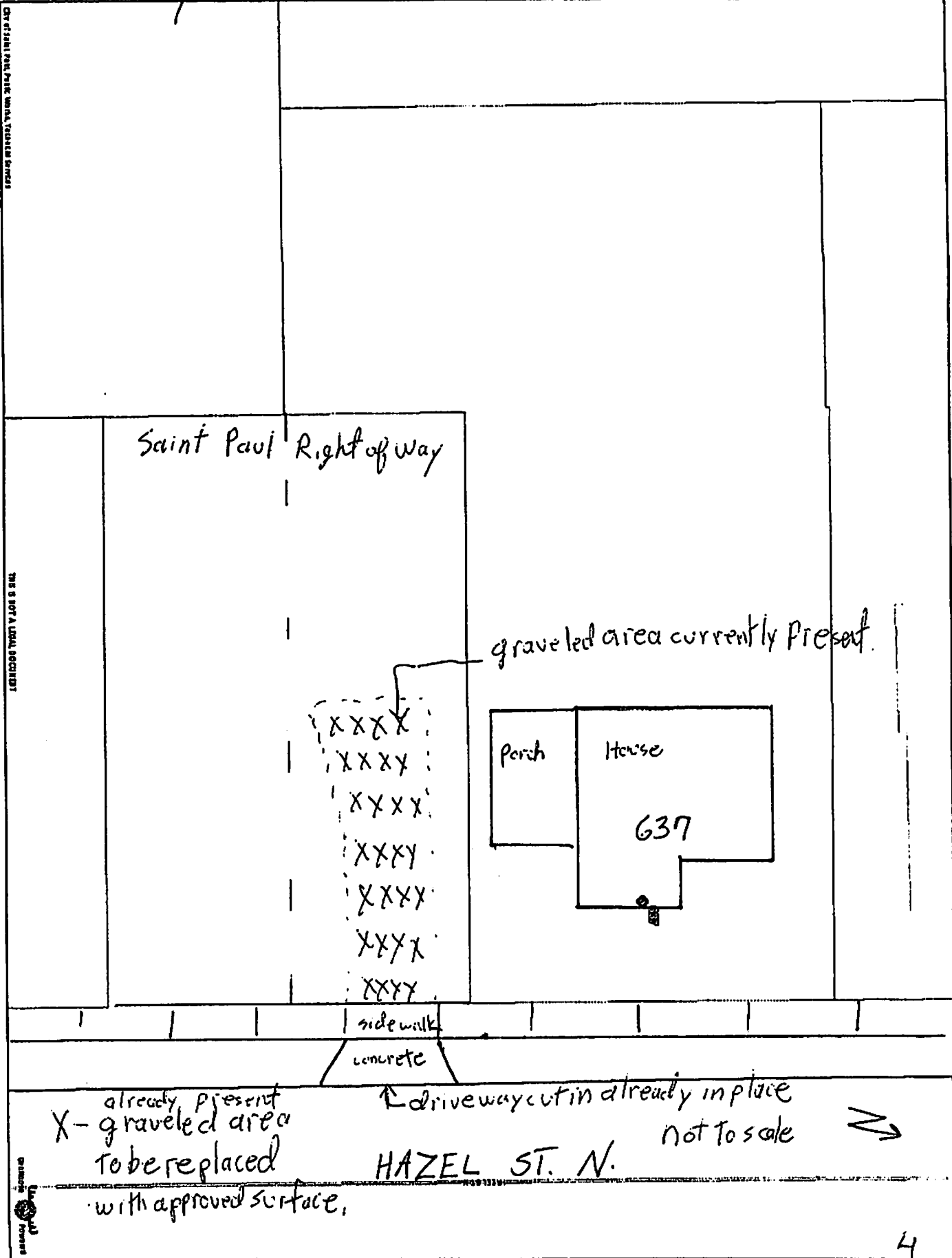
In and for the County of Ramsey and State of Minnesota.

Aug 5, 2011  
BY: Jane [Signature]

REGISTRAR OF TITLES  
LE DU NORD



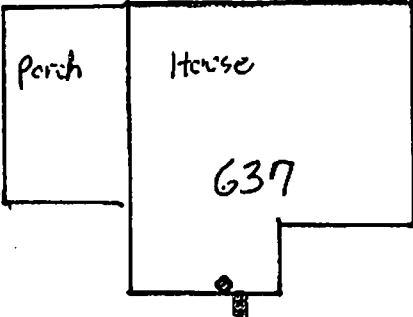
# DRIVEWAY/PARKING SITE PLAN FOR 637 HAZEL ST. N



Saint Paul Right of way

gravelled area currently present.

XXXX  
XXXX  
XXXX  
XXXX  
XXXX  
XXXX  
XXXX



sidewalk  
concrete

X - already present  
gravelled area  
to be replaced  
with approved surface.

↑ driveway cut in already in place

HAZEL ST. N.

Not to scale



PETERSON FRAM & BERGMAN, P.A.

248316

DATE	DESCRIPTION	INVOICE #	AMOUNT	CHECK DEDUCTION	NET AMOUNT
08/10/11	37.000 CITY OF ST. PAUL JT: 15154.110001		100.00		100.00

CHECK DATE	CONTROL NUMBER	TOTALS ▶	Gross:	Ded:	Net:
08/10/11	248316		100.00	0.00	100.00

**PETERSON,  
FRAM & BERGMAN**  
PROFESSIONAL ASSOCIATION

55 East Fifth Street • Suite 800  
St. Paul, MN 55101-1718  
(651) 291-8955

**ALLIANCE BANK**  
2100 W. B. WYLLIE ST. PAUL, MN 55108  
75-121/019

248316

DATE	CHECK	AMOUNT
08/10/11	248316	****\$100.00

PAY  
TO THE  
ORDER  
OF: CITY OF ST. PAUL

\*\*\* ONE HUNDRED & 00/100 DOLLARS

PETERSON, FRAM & BERGMAN, P.A.  
VOID AFTER 6 MONTHS



⑈ 248316 ⑆ ⑆ 091901215 ⑆ 6010043101 ⑆

Security Features Included Details on back

PETERSON FRAM & BERGMAN, P.A.

Vendor: 37.000 CITY OF ST. PAUL

248316

Date	Description	Invoice #	Amount	Disc	Net Amt
08/10/11	JT: 15154.110001		100.00		100.00
Check Date	Check #	Gross Amt	Disc Amt	Net Amt	
08/10/11	248316	100.00	0.00	100.00	

Warren E. Peterson  
Jerome P. Filla  
Daniel Witt Fram  
Glenn A. Bergman  
John Michael Miller  
Michael T. Oberle  
Steven H. Bruns\*  
Paul W. Fahning\*  
Sonja R. Ortiz  
Ben I. Rust  
Jonathan R. Cuskey  
Tracy J. Halliday  
Jared M. Coerlitz  
Dan M. Duffek\*



Suite 800  
55 East Fifth Street  
St. Paul, MN 55101-1718  
(651) 291-8955  
(651) 228-1753 facsimile  
[www.pfb-pa.com](http://www.pfb-pa.com)

651-290-6909  
[jmiller@pfb-pa.com](mailto:jmiller@pfb-pa.com)

August 18, 2011

City Clerk  
City Hall, Room 310  
Ramsey County Courthouse  
15 West Kellogg Blvd.  
St. Paul, MN 55102

RE: Petition for Vacation of Unopened Portion of East 6<sup>th</sup> Street Abutting Hazel Avenue  
Our File No.: 15154/11.1

Dear Clerk:

I have enclosed with this letter the following documents:

1. Petition to Vacate City Interest;
2. Scaled drawing showing the location of the land to be vacated;
3. The following Condition of Certificate of Title documents for the following properties:
  - A. 637 North Hazel;
  - B. 623 North Hazel (Two (2) Condition of Certificate of Title); and,
  - C. 1885 Fifth Street.

The three parcels referred to above constitute all of the properties which abut the property requested to be vacated in the Petition.

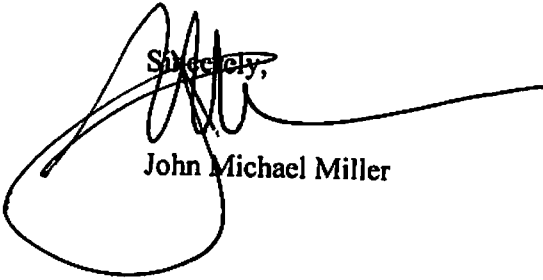
4. Six (6) copies of a proposed Site Plan for a paved driveway to be constructed on the 637 Hazel parcel; and,
5. Check made payable to the "City of St. Paul" in the amount of \$100 as and for the filing fee.

City Clerk  
August 18, 2011  
Page 2

I believe that this constitutes a complete submission as contemplated by Chapter 130 of the St. Paul Code of Ordinances and, the Citizen's Guidelines Relative to Petitions for Vacations.

Please review this and contact me if you have any additional questions or comments regarding it.

Thank you.

Sincerely,  
  
John Michael Miller

JMM/jmt  
Enclosures