

ORDINANCE NO. 2025 - _____

**AN ORDINANCE MODIFYING ORDINANCE NO. 2024-27 RELATING TO THE
VACATION OF THAT PART OF THE RIGHT-OF-WAY OF LINDAU LANE
(FORMERLY KNOWN AS EAST 81ST STREET) AS DEDICATED IN THE PLATS
OF AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA
5TH ADDITION, AND MALL OF AMERICA 8TH ADDITION**

The City Council of the City of Bloomington, Minnesota (“City”) hereby ordains:

Section 1. That the City Council adopted City Ordinance No. 2022-33 on June 27, 2022, relating to an Ordinance to vacate that part of the right-of-way of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION.

Section 2. That the City Council adopted City Ordinance No. 2023-18 on June 26, 2023, modifying Ordinance No. 2022-33 to modify Section 5 related to the Effective Date.

Section 3. That the City Council adopted Ordinance No. 2024-27 on November 18, 2024, modifying Ordinance No. 2023-18 to modify Section 5 related to the Effective Date.

Section 4. That the City Council hereby amends City Ordinance No. 2024-27 by deleting those words within brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

Section 1. Pursuant to Section 12.06 of the City Charter “[t]he council can vacate any street or alley in the city by ordinance approved by at least five members of the council. Vacation requires published notice and an opportunity for affected property owners and the public to be heard, and any additional requirements prescribed by ordinance. A notice of completion of vacation proceedings must be filed with the proper county officers according to law.”

Section 2. Minnesota Statutes, sections 412.851 and 462.358, set forth further considerations and requirements.

Section 3. After finding it in the public interest, the following part of right-of-way is hereby vacated by the City:

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 819.8 feet, which lies 93.50 feet on each side of a line described as follows: Commencing at the westerly terminus of that northerly line of Tract A, REGISTERED LAND

SURVEY NO. 1823, Hennepin County, Minnesota, which has a length of 170.20 feet; thence on an assumed bearing of North 89 degrees 51 minutes 20 seconds East, along said northerly line of said Tract A, a distance of 89.60 feet to the point of beginning of the line to be described; thence North 00 degrees 08 minutes 40 seconds West a distance of 154.15 feet to the northerly line of said Lindau Lane and being the southerly line of Lot 1, Block 1, MALL OF AMERICA 9TH ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, and said line there terminating. Excepting that portion previously vacated per Document No. T05156380, filed in the Office of the Registrar of Titles, Hennepin County, Minnesota.

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 799.0 feet and below an elevation of 802.75 feet described as follows: Beginning at the westerly terminus of that northerly line of Tract A, REGISTERED LAND SURVEY NO. 1823, Hennepin County, Minnesota, which has a length of 170.20 feet; thence on an assumed bearing of North 89 degrees 51 minutes 20 seconds East, along said northerly line of Tract A, a distance of 170.20 feet; thence North 00 degrees 08 minutes 40 seconds West a distance of 8.85 feet; thence South 89 degrees 51 minutes 20 seconds West a distance of 78.68 feet; thence South 00 degrees 08 minutes 40 seconds East a distance of 0.42 feet; thence South 89 degrees 51 minutes 20 seconds West a distance of 9.00 feet; thence North 00 degrees 08 minutes 40 seconds West a distance of 0.42 feet; thence South 89 degrees 51 minutes 20 seconds West a distance of 82.53 feet, to a point hereinafter known as "Point A"; thence South 00 degrees 13 minutes 52 seconds East a distance of 8.85 feet to the point of beginning.

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 799.0 feet and below an elevation of 802.75 feet described as follows: Commencing at the above described "Point A"; thence North 00 degrees 06 minute 21 seconds East a distance of 55.32 feet to the point of beginning of the area to be described; thence North 04 degrees 48 minutes 43 seconds West a distance of 16.00 feet to a point hereinafter known as "Point B"; thence North 85 degrees 11 minutes 17 seconds East a distance of 61.87 feet; thence South 04 degrees 48 minutes 43 seconds East a distance of 4.50 feet; thence North 85 degrees 11 minutes 17 seconds East a distance of 9.00 feet; thence North 04 degrees 48 minutes 43 seconds West a distance of 4.50 feet; thence North 85 degrees 11 minutes 17 seconds East a distance of 101.13 feet; thence South 04 degrees 48 minutes 43 seconds East a distance of 16.00 feet; thence South 85 degrees 11 minutes 17 seconds West a distance of 68.89 feet; thence North 04 degrees 48 minutes 43 seconds West a distance of 4.50 feet; thence South 85 degrees 11 minutes 17 seconds West a distance of 9.00 feet; Thence South 04 degrees 48 minutes 43 seconds East a distance of 4.50 feet; thence South 85 degrees 11 minutes 17 seconds West a distance of 94.11 feet to the point of beginning.

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 799.0 feet and below an elevation of 802.0 feet described as follows: Commencing at the above described "Point B"; thence North 01 degree 29 minutes 15 seconds East a distance of 52.67 feet to the point of beginning of the area to be described; thence on a bearing of North a distance of 11.00 feet; thence North 89 degrees 51 minutes 20 seconds East a distance of 170.00 feet; thence on a bearing of South a distance of 11.00 feet; thence South 89 degrees 51 minutes 20 seconds West a distance of 170.00 feet to the point of beginning.

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 802.75 feet and below an elevation of 819.8 feet described as follows: Beginning at the westerly terminus of that northerly line of Tract A, REGISTERED LAND SURVEY NO. 1823, Hennepin County, Minnesota, which has a length of 170.20 feet; thence on an assumed bearing of North 89 degrees 51 minutes 20 seconds East, along said northerly line of Tract A, a distance of 170.20 feet; thence North 00 degrees 08 minutes 40 seconds West a distance of 4.10 feet; thence South 89 degrees 51 minutes 20 seconds West a distance of 170.20 feet, to a point hereinafter known as "Point C"; thence South 00 degrees 13 minutes 52 seconds East a distance of 4.10 feet to the point of beginning.

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 802.75 feet and below an elevation of 819.8 feet described as follows: Commencing at the above described "Point C"; thence North 00 degrees 22 minutes 46 seconds East a distance of 66.63 feet to the point of beginning of the area to be described; thence on a bearing of North a distance of 3.01 feet, to a point hereinafter known as "Point D"; thence North 85 degrees 11 minutes 17 seconds East a distance of 169.93 feet; thence on a bearing of South a distance of 3.01 feet; thence South 85 degrees 11 minutes 17 seconds West a distance of 169.93 feet to the point of beginning.

That part of Lindau Lane (formerly known as East 81st Street) as dedicated in the plats of AIRPORT SOUTH ADDITION, MALL OF AMERICA, MALL OF AMERICA 5TH ADDITION, and MALL OF AMERICA 8TH ADDITION, according to the recorded plats thereof, Hennepin County, Minnesota, lying above an elevation of 802.0 feet and below an elevation of 819.8 feet, described as follows: Commencing at the above described "Point D"; thence North 00 degrees 18 minutes 22 seconds West a

distance of 62.36 feet to the point of beginning of the area to be described; thence on a bearing of North a distance of 4.00 feet; thence North 89 degrees 51 minutes 20 seconds East a distance of 170.00 feet; thence on a bearing of South a distance of 4.00 feet; thence South 89 degrees 51 minutes 20 seconds West a distance of 170.00 feet to the point of beginning.

Elevations are based on N.G.V.D. 1929.

Section 4. Effective Date. This vacation shall not be effective unless, prior to [~~December 31, 2025~~] December 31, 2027, there has been a (a) “Loan Closing” for the full financing of the “Waterpark Project” as those terms are defined in the 2025 [~~2024~~] Redevelopment Agreement, as it may be amended, and (b) construction of the Waterpark Project improvements has commenced (which may include demolition or excavation); thereafter the City will release this Ordinance for recording and publication.

Section 5. That the Mayor and City Manager are hereby authorized to execute any documents that may be necessary to carry out the vacation described in this Ordinance.

Passed and adopted this 22nd day of December, 2025.

ATTEST:

Mayor

Secretary to the Council

APPROVED:

City Attorney