



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/05/2015

ITEM #:

AGENDA ITEM: Approve Resolution Nos. 2015-32, A Resolution Calling For Public Hearing To Vacate Easement

SUBMITTED BY: Adam Bell, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY:

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to approve Resolution No. 2013-90A, A Resolution Calling For Public Hearing To Vacate Easement for the Permanent Public Utility Easement and Agreement by taking the following action:

“Move to approve Resolution No. 2015-32, A Resolution Calling For Public Hearing To Vacate Easement”

FINANCIAL IMPACT: N/A

BACKGROUND INFORMATION: the easement must be removed prior to the recording of the plat. Add sentence or two of why this easement needs to be vacated.

STAFF REPORT: Pursuant to Minn. Stat. §§ 412.861 and 462.358, subd. 7, a city may vacate a public utility easement in the same manner as vacating streets. By law, in order to vacate a recorded easement, Council must hold a public hearing on the vacation and then pass a resolution vacating the easement. Presently before the council is a resolution calling for the required public hearing. Notice of the hearing is required to be published and posted by the City Clerk at least two weeks prior to the hearing and mailed by the City Clerk to affected property owners at least 10 days prior to the hearing. The soonest that a public hearing can be held is on June 2, 2015 at 7:00 p.m.

RECOMMENDATION:

Staff recommends the City Council approve Resolution No. 2015-32, A Resolution Calling For Public Hearing To Vacate Easement for the Permanent Public Utility Easement And Agreement by taking the following action:

“Move to approve Resolution No. 2015-32, A Resolution Calling For Public Hearing To Vacate Easement”

ATTACHMENTS:

- 1) Resolution No. 2015-32, A Resolution Calling For Public Hearing To Vacate Easement
- 2) Public Notice to be published