

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2015 – 44**

**A RESOLUTION VACATING DRAINAGE AND UTILITY EASEMENTS**

**THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA DOES HEREBY  
RESOLVE AS FOLLOWS:**

**WHEREAS**, the City Council previously passed Resolution No. 2015-32, noting its interest in vacating Drainage and Utility Easements pursuant to Minnesota Statute § 412.851 on the subject property legally described as:

**HUNTER’S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota; and**

and

**WHEREAS**, that said drainage and utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

**Drainage and utility easement over all of Outlot C, HUNTER’S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota, as delineated and dedicated on said HUNTER’S CROSSING 1ST ADDITION.**

and setting a public hearing to consider the vacation of such portion of park land; and

**WHEREAS**, a public hearing to consider the vacation of such street was held on the 2nd day of June, 2015, before the City Council in the City Hall located at 3800 Laverne Avenue North at 7:00 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 11th day of May, 2015, and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest by allowing the final plat to be recorded, and the second addition final plat will include separate drainage and utility easements for each lot consistent with the City’s Subdivision Ordinance.

**WHEREAS**, at least four-fifths of all members of the City Council concur in this resolution;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, COUNTY OF WASHINGTON, MINNESOTA**, that such petition for vacation is hereby granted and the easement described as follows is hereby vacated:

**Drainage and utility easement over all of Outlot C, HUNTER’S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County,**

**Minnesota, as delineated and dedicated on said HUNTER'S CROSSING 1ST ADDITION.**

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

This Resolution shall become effective upon its passage and without publication.

**ADOPTED THIS SECOND DAY OF JUNE 2015.**

	AYES	NAYS
_____ Mike Pearson, Mayor	_____	_____
_____ Justin Bloyer, Council Member	_____	_____
_____ Julie Fliflet, Council Member	_____	_____
_____ Jill Lundgren, Council Member	_____	_____
_____ Anne Smith, Council Member	_____	_____

Approved:

CITY OF LAKE ELMO

(Seal)

By: \_\_\_\_\_

Mike Pearson, Mayor

ATTEST:

\_\_\_\_\_  
Adam Bell, City Clerk