

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

RESOLUTION NO. 2018-017

A RESOLUTION VACATING A DRAINAGE AND UTILITY EASEMENT OVER
OUTLOT B, HAMMES ESTATES 1ST ADDITION

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

WHEREAS, the City of Lake Elmo approved the final plat of Hammes Estates 3rd Addition on February 20, 2018 with blanket drainage and utility easements over Outlot B of Hammes Estates 1st Addition; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the existing drainage and utility easements on Outlot B, Hammes Estates 1st Addition; and

WHEREAS, the City of Lake Elmo had received a request for the Final Plat of Hammes Estates 3rd Addition from Rachel Development, replatting Outlot B, Hammes Estates 1st Addition into a residential development; and

WHEREAS, a public hearing to consider the vacation of the drainage and utility easement was held on the February 12, 2018 at the Planning Commission meeting in the Lake Elmo City Hall located at 3800 Laverne Avenue North at 7:00 p.m. or shortly thereafter after due published and posted notice had been given, as well as personal mailed notice to all property owners within 350 feet of Outlot B, Hammes Estates 1st Addition by the City Clerk and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because:

- 1) The proposed replat of Outlot B, Hammes Estates 1st Addition into Hammes Estates 3rd Addition complies with all applicable zoning and subdivision regulations.
- 2) The dedication of a new easements will be provided with the recording of Hammes Estates 3rd Addition to provide the same function as the one being vacated with no negative impact to the public.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF LAKE ELMO, COUNTY OF WASHINGTON MINNESOTA**, that such request

for vacation of an existing drainage and utility easement is hereby granted in accordance with the property descriptions provided above, subject to the following condition:

- 1) Final Plat of the Property over which the easement is subject must be approved by Council and recorded.

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.

Adopted by the Council this 20th day of February 2018.

Effective Date: 2-20-18

Approved:



Mike Pearson, Mayor

Attested by:


Julie Johnson, City Clerk