

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

RESOLUTION NO. 2018-063

*A RESOLUTION VACATING A DRAINAGE AND UTILITY EASEMENT OVER OUTLOTS R, P,
AND O, ROYAL GOLF CLUB AT LAKE ELMO 1ST ADDITION*

WHEREAS, the City of Lake Elmo (City) is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council approved a Preliminary Plat and for Royal Golf Club at Lake Elmo on June 6, 2017 through adoption of Resolution 2017-47; and

WHEREAS, the City Council approved Royal Golf Club at Lake Elmo Final Plat on September 5, 2017 through adoption of Resolution 2017-093, which includes PID#s 25.029.21.43.0003 and 25.029.21.43.0004 and PID# 25.029.21.43.0005; and

WHEREAS, PID#s 25.029.21.43.0003, 25.029.21.43.0004, and 25.029.21.43.0005 are owned by HC Golf Land, LLC, 11455 20th Street North, Lake Elmo, MN 55042 (Owner); and

WHEREAS, the City of Lake Elmo was granted a Drainage and Utility Easement over a portion of PID#s 25.029.21.43.0003 and 25.029.21.43.0004 and all of PID# 25.029.21.43.0005, and this easement was recorded with the Royal Golf Club at Lake Elmo Plat by the Office of the Registrar of Titles of Washington County on September 29, 2017 as Document Number 4129859; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the Drainage and Utility Easement recorded with the Royal Golf Club at Lake Elmo Plat by the Office of the Registrar of Titles of Washington County on September 29, 2017 as Document Number 4129859 over PID#s 25.029.21.43.0003 and 25.029.21.43.0004 and PID# 25.029.21.43.0005, legally described as follows:

All of the drainage and utility easements, as created and dedicated over, under, and across Outlot O, Outlot P, and Outlot R, The Royal Golf Club at Lake Elmo, according to the plat thereof, Washington County, Minnesota.

WHEREAS, the City Clerk reviewed and examined the signatures on said request and determined that such signatures constituted all of the landowners abutting upon the portion of easement to be vacated and rededicated; and

WHEREAS, a public hearing to consider the vacation of the Drainage and Utility Easement was held on the 4th of June 2018 before the Planning Commission 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 the Drainage and Utility Easement by the City Clerk on the 23rd day of May 2018 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

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

- 1) The City has granted Final Plat Approval for Royal Golf Club at Lake Elmo 2nd Addition, which includes PID#s 25.029.21.43.0003 and 25.029.21.43.0004 and all of PID# 25.029.21.43.0005, which will grant the City more appropriate easements for similar purposes.

WHEREAS, the Council, at its meeting on the 19th day of June 2018, considered the easement vacation request.

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 of approval:

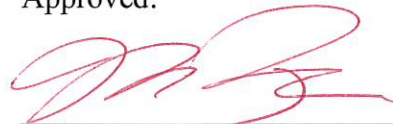
- 1) New easements as requested by the City Engineer and Public Works Director shall be recorded with the Royal Golf Club at Lake Elmo 2nd Addition Final Plat.

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 19th day of June 2018.

Effective Date: 6-19-18

Approved:



Mike Pearson, Mayor

Attested by:



Julie Johnson, City Clerk