

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

RESOLUTION NO. 2019-061

***A RESOLUTION VACATING A ROADWAY RIGHT-OF-WAY FOR THE FOUR CORNERS
SECOND 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 for the Four Corners Second Addition development in Lake Elmo on March 19, 2019 through adoption of Resolution 2019-021; and

WHEREAS, the City Council approved the Four Corners Second Addition Final Plat on August 20, 2019 through adoption of Resolution 2019-060, and

WHEREAS, the development site of the Four Corners Second Addition includes PID#s 36-029-21-43-0005, 36-029-21-44-0005 and PID# 36-029-21-44-0004; which are owned by EN Properties LLC, Lake Elmo MN 55042 (Owner); and

WHEREAS, the City of Lake Elmo was granted a roadway right-of-way for Hudson Boulevard lying west of Manning Avenue by the Minnesota Department of Transportation and this roadway right-of-way was recorded at the Office of the Registrar of Titles of Washington County; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate parts of the easements and right-way for Hudson Boulevard lying west of Manning Avenue legally described as follows:

That part of the South Half of the Southeast Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota contained within Parcel 44 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-35, according to the plat thereof on file and of record in the office of the County Recorder, Washington County Minnesota described as follows:

Beginning at the right of way corner designated as B5; thence in a direct line to the right of way corner designated as B35; thence along the line of said Parcel 44 to the right of way corner designated as B34; thence along the line of said Parcel 44 to the right of way corner designated as B33; thence along the line of said Parcel 44 to the right of way corner designated as B32; thence in a direct line to the right of way corner designated as B29; thence along the line of said Parcel 44 to the right of way corner designated as B28, which is on the north line of the south 75.00 feet of said South Half of the Southeast Quarter; thence westerly along said north line of the south 75.00 feet a distance of 169.07 feet; thence in a direct line to the right of way corner designated as B1; thence along the line of said Parcel 44 to the right of way corner designated as

B2; thence along the line of said Parcel 44 to the right of way corner designated as B3; thence along the line of said Parcel 44 to the right of way corner designated as B4; thence along the line of said Parcel 44 to the right of way corner designated as B5, the point of beginning.

WHEREAS, the City Clerk reviewed and examined the signatures on said request and determined the signatures constituted all of the landowners abutting upon the portion of roadway and right-of-way to be vacated and rededicated; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing to consider the vacation of the Hudson Boulevard roadway easements and right-of-way on the May 29, 2019 in the Lake Elmo City Hall located at 3800 Laverne Avenue North after due published and posted notice had been given 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 proposed vacation of the existing Hudson Boulevard easements and roadway right-of-way will benefit the public interest because:

- 1) The City has granted Final Plat Approval for the Four Corners 2nd Addition, which includes PID#s 36-029-21-43-0005, 36-029-21-44-0005 and PID# 36-029-21-44-0004; which will grant the City new right-of-way for Hudson Boulevard for similar purposes.

WHEREAS, the City Council, at its meeting on August 20, 2019, considered the easement and roadway right-of-way 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 existing roadway easements and right-of-way for parts of Hudson Boulevard lying west of Manning Avenue is hereby granted in accordance with the property descriptions provided above, subject to the following conditions of approval:

1. The final plat of Four Corners Second Addition being approved by the City Council and recorded at Washington County. The final plat must include the dedication of the relocated (new) Hudson Boulevard; and
2. The developer constructing the relocated Hudson Boulevard and the City accepting the relocated (new) Hudson Boulevard.

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 August, 2019.

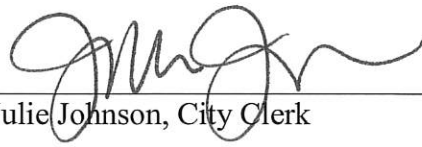
Effective Date: 8-20-19

Approved:



Mike Pearson, Mayor

Attested by:



Julie Johnson, City Clerk