

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

RESOLUTION NO. 2021-106

*A RESOLUTION APPROVING VACATING DRAINAGE AND UTILITY EASEMENTS ON
OUTLOTS G, H, AND I OF WILDFLOWER AT LAKE ELMO*

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

WHEREAS, Robert Engstrom Companies, 4801 West 81st Street, #101, Bloomington, MN (the "Owner") has submitted an application to the City of Lake Elmo ("City") on property known as Outlots G, H, and I of Wildflower at Lake Elmo as described in Exhibit A (the "Property"); and

WHEREAS, the application is for vacating drainage and utility easements on the Property described in Exhibit B, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the easements do not terminate at or abut upon public water; and

WHEREAS, the City is authorized by Minn. Stat. § 462.358, subd. 7 to vacate drainage and utility easements by following the procedure available for vacating city roads; and

WHEREAS, the City may vacate city roads using the procedure set out in Minn. Stat. § 412.851; and

WHEREAS, the Owner, who owns all of the property in which the easements are located, submitted a petition requesting the vacation of the easement; and

WHEREAS, the City provided notice of and conducted a public hearing regarding the proposed vacation on October 5th, 2021; and

WHEREAS, the City hereby finds and determines:

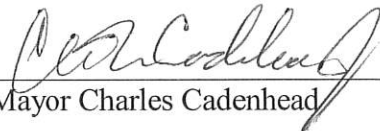
- 1) Vacating the drainage and utility easements are in the public interest; and
- 2) The present and potential use of the land does not provide access to public waters; and
- 3) The vacation would not impact conservation of natural resources and
- 4) The proposed Wildflower 4th Addition will replace the current easements with drainage and utility easements that do not conflict with lot configurations and building placements.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby vacate the easements described in Exhibit B effective as of the date of this Resolution;

BE IT FURTHER RESOLVED, the City determines no damages are owed for the vacation of the easement; and

BE IT FURTHER RESOLVED, this Resolution shall constitute the notice of completion and the City Clerk is hereby authorized and directed to file this Resolution with the office of the County Auditor to be entered into the transfer record and then record it with the office of the County Recorder.

Passed and duly adopted this 5th day of October, 2021 by the City Council of the City of Lake Elmo, Minnesota.



Mayor Charles Cadenhead

ATTEST:



Julie Johnson, City Clerk

Exhibit A

Outlot G, Outlot H, and Outlot I of WILDFLOWER AT LAKE ELMO 1st ADDITION,
according to the record plat thereof, Washington County, Minnesota, as delineated and dedicated
on said WILDFLOWER AT LAKE ELMO 1st ADDITION

Exhibit B

All drainage and utility easements lying over, under, and across Outlot G, Outlot H, and Outlot I, WILDFLOWER AT LAKE ELMO 1st ADDITION, according to the record plat thereof, Washington County, Minnesota, as delineated and dedicated on said WILDFLOWER AT LAKE ELMO 1st ADDITION.