

Document #787388
James + Judy Blackford

RESOLUTION NO. 93- 78

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION VACATING AN EASEMENT TO CORRECT AN AMBIGUITY
IN DOCUMENT NO. 353318 WHICH CONTAINS A CENTERLINE
EASEMENT DESCRIPTION WITH NO WIDTH.

WHEREAS, at a regular meeting of the City Council of the City of Lake Elmo, Washington County, Minnesota, held on December 7, 1993, a Petition was presented to the City Council praying for the vacation described as follows:

All that part of the North 626.10 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Ten (10) and over part of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of said Section Ten (10) and over part of the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section Ten (10), the centerline of said easement is described as follows:

Beginning at a point on the East line of said Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) 1,043.50 feet South of the Northeast corner of said Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4), thence North 01 degree 15 minutes 35 seconds West along said East line 834.80 feet; thence North 07 degrees 50 minutes 17 seconds East 208.70 feet; thence North 01 degree 15 minutes 35 seconds West parallel with the West line of said Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) 2.40 feet to a point on the North line of said Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4); thence continue North 01 degree 15 minutes 35 seconds West parallel with and distant 33.00 feet East of the West line of said Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) 193.77 feet to the South line of Lot One (1), Block One (1), Moris Addition and there terminate, except that portion thereof lying within 33 feet on either side of the following described centerline; beginning at a point on the East line of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Ten (10), Township Twenty-nine North (29N), Range Twenty-one West (21W) 1,043.50 feet South of the Northeast corner of said Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4); thence North 01 degree 15 minutes 35 seconds West along said East line 834.80 feet; thence North 07 degrees 50 minutes 17 seconds East 208.70 feet; thence North 01 degree 15 minutes 35 seconds West parallel with the West line of said Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) 2.40 feet to a point on the North line of said Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4); thence North 01 degree 15 minutes 35 seconds West parallel with and distant 33.00 feet East of the West line of said Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) 193.77 feet to the South line of Lot One (1), Block One (1), Moris Addition and there terminate.

WHEREAS, said Petition came on for hearing before said City Council at a regular meeting thereof held at 7:30 p.m. on Tuesday, December 7, 1993 in the City Hall pursuant to Notice thereof published and posted as required by law; and

WHEREAS, the purpose of the proposed easement vacation is to correct an ambiguity in Document No. 353318 which contains a centerline easement description with no width,

NOW, THEREFORE, BE IT RESOLVED, that the easement as described, and the same hereby is, vacated conditioned upon: (1) Applicants convey an easement to the City of Lake Elmo over the east 33 feet of their property for road and utility purposes.

BE IT FURTHER RESOLVED, that the Clerk shall prepare a Notice of Completion of these proceedings which shall contain the name of the City and the identification of the vacation, a statement of the time of completion thereof and a description of the real estate and land affected thereby. Such Notice shall be presented to the Washington County Auditor who shall enter the same in his transfer records and note upon the instrument over his official signature the words "entered in the transfer records". The Notice shall be filed with the County Recorder, all as required by Section 368.01 Subdivision 25 of the Minnesota Statutes.

ADOPTED by the City Council of the City of Lake Elmo this 7th day of December, 1993.

Signed: _____

Wyn John, Mayor

ATTEST: _____

Mary Kueffner, City Administrator