

RESOLUTION 94-6

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION FOR DRAINAGE AND UTILITY EASEMENT VACATION IN  
LOTS 1 AND 2, BLOCK 2, DEMONTREVILLE HIGHLANDS 6TH ADDITION**

**WHEREAS**, at a regular meeting of the City Council of the City of Lake Elmo, Washington County, Minnesota, held on February 15, 1994, a Petition was presented to the City Council for the vacation of a 12 foot drainage and utility easement in Lots 1 and 2, Block 2, Demontreville Highlands 6th Addition described as follows:

To vacate the drainage and utility easement being to the North 12.00 feet of Lot 9, Block 2, DEMONTREVILLE HIGHLANDS 3RD ADDITION, according to the plat on file in the office of the Registrar of Titles, Washington County, Minnesota, lying easterly of the West 5.00 feet of Lot 2, Block 2, DEMONTREVILLE HIGHLANDS 6TH ADDITION, according to the plat on file in said office of the Registrar of Titles.

Also, to vacate said drainage and utility easement being said North 12.00 feet of Lot 9 lying westerly of the East 5.00 feet of Lot 1 of said Block 2, DEMONTREVILLE HIGHLANDS 6TH ADDITION and lying easterly of the easterly line of the drainage easement covering the westerly half of said Lot 1.

Also, to vacate the drainage and utility easement being the East 12.00 feet of said lot 9 lying northerly of the South 12.00 feet of said Lot 9.

**WHEREAS**, said Petition came for hearing before said City Council at a regular meeting thereof held on Tuesday, February 15, 1994, pursuant to Notice thereof published and posted as required by law; and

**WHEREAS**, the City Council has reviewed this Petition with concern for the interest of the public; and

**WHEREAS**, the drainage and utility easement for vacation have never been opened or used for public drainage and utilities and it is improbable there will ever be any public need for said easement; moreover by vacating the same, the property will be returned to the taxrolls and will enhance the taxable value of all the lands abutting thereon or affected thereby; and

**WHEREAS**, for the foregoing reasons, it appears to be in the public interest to vacate the easement described above;


**NOW, THEREFORE, BE IT RESOLVED**, that the 12 foot drainage and utility easement described above in the plat of Demontreville Highlands 6th Addition be, and the same hereby are, vacated.

**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 then 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 15th day of February, 1994.

  
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Wyn John, Mayor

Attest:

  
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Mary Kueffner, City Administrator