

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2007-028

A RESOLUTION VACATING EXISTING PLATTED  
DRAINAGE AND UTILITY EASEMENTS IN  
TAPESTRY AT CHARLOTTE'S GROVE

WHEREAS, at the December 7, 2004 meeting of the Lake Elmo City Council, Washington County, Minnesota, the Council approved the Final Plat of Tapestry at Charlotte's Grove, Washington County, Minnesota.

WHEREAS, the Final Plat of Tapestry at Charlotte's Grove provided the dedication of drainage and utility easements along the new property lines and within portions of the platted lots.

WHEREAS, at a Public Hearing on March 20, 2007, the City Council reviewed a request to vacate the public's interest in the drainage and utility easements on Lot 1, Block 8 at Tapestry at Charlotte's Grove;

WHEREAS, the public hearing was continued to April 3, 2007;

WHEREAS, at the conclusion of the public hearing, the Lake Elmo City Council determined that retaining such drainage and utility easements over Lot 1, Block 8, Tapestry at Charlotte's Grove would not be in the public interest provided that a similar easement was conveyed to the City of Lake Elmo

NOW, THEREFORE, BE IT RESOLVED, hereby vacate those certain utility and drainage easements illustrated on the plat of Tapestry at Charlotte's Grove, Washington County, Minnesota for Lot 1, Block 8 of Tapestry at Charlotte's Grove, Washington County, Minnesota; subject to the following conditions:

1. The existing culvert must be properly abandoned or removed at applicant's cost. Details must be provided to an approved by the City Engineer.
2. Conveyance of a grant of easement from the recorded property owners and encumbrances to the City of Lake Elmo for the legal descriptions approved by the City Attorney and prior to the issuance of any building permits for Lot 1, Block 8, Tapestry at Charlotte's Grove and at applicant's cost.
3. The applicant shall obtain and adhere to all necessary permits and approvals from the VBWD.

4. All conditions of the Valley Branch Watershed District Permit #2004-026 must be met.
5. Approved by the Minnesota Land Trust if necessary.


BE IT FURTHER RESOLVED that the Clerk shall prepare a Notice of Completion of these proceedings, which shall contain the same of the City, and the identification of the vacation, a statement of the time of completion thereof, and a description of the land affected thereby. Such Notice shall be presented to the Washington County Auditor who shall enter the same in his transferred 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 Minnesota Statutes.

ADOPTED by the Lake Elmo City Council this 3<sup>rd</sup> day of April, 2007.



Dean A. Johnston, Mayor

ATTEST:



Thomas Bouthilet, Interim City Administrator