



STAFF REPORT

DATE: 8/1/2017

REGULAR

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Hidden Meadows Easement Vacation, Outlot A
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

Hidden Meadows 1st Addition was approved on 5/16/2006 which included the platting of the Rock Point Church property and two outlots proposed for a future OP - Open Space Preservation development. The deadline for final plat application for the OP development was extended from January 2007 to January 2, 2018. With last final plat extension, the owner granted a drainage and utility easement over the watermain in Outlot A through recording Document 4073144 on July 1, 2016. The Hidden Meadows 2nd Addition Final Plat was approved by Council on July 5, 2017. The aforementioned easement will need to be vacated prior to recording of this plat. New easements will be provided with recording of the Final Plat.

ISSUE BEFORE COUNCIL:

The Council is respectfully being requested to hold a public hearing and consider approval of vacation of the drainage and utility easement over the watermain in Outlots A, Hidden Meadows.

PROPOSAL DETAILS/ANALYSIS:

The easement vacation is needed in order for Hidden Meadows 2nd Addition to be recorded. New easements will be put into place as required with the recording of the Hidden Meadows 2nd Addition. A public hearing is required for an easement vacation according to M.S. 412.851.

FISCAL IMPACT:

None

OPTIONS:

The Council may approve or deny the easement vacation.

RECOMMENDATION:

Staff recommends approval of the request for vacation of the drainage and utility easement over Outlot A, Hidden Meadows, as recorded by Document 4073144 subject to the following condition:

- 1) Hidden Meadows 2nd Addition Final Plat must be recorded.

“Move to approve Resolution 2017-082 approving the vacation of the drainage and utility easement over Outlot A, Hidden Meadows as recorded by Document 4073144, subject to one condition as recommended by Staff.”

ATTACHMENTS:

- Resolution 2017-082
- Recorded Easement, Document 4073144

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

RESOLUTION NO. 2017-082

*A RESOLUTION VACATING A DRAINAGE AND UTILITY EASEMENT OVER OUTLOT A,
HIDDEN MEADOWS*

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 and Conditional Use Permit for Hidden Meadows 2nd Addition on April 16, 2006 by Resolution 2006-038; and

WHEREAS, PID# 02.029.21.24.0001 is owned by Rockpoint Church, 5825 Kelvin Avenue North, Lake Elmo, MN 55042 (Owner); and

WHEREAS, the City of Lake Elmo was granted a Permanent Public Roadway and Utility Easement over a portion of the PID# 02.029.21.24.0001, and this easement was recorded by the Office of the Registrar of Titles of Washington County on July 1, 2016 as Document Number 4073144; and

WHEREAS, the City has approved Hidden Meadows 2nd Addition Final Plat by Resolution 2017-073 on July 5, 2017, which includes PID#s 02.029.21.24.0001; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the Public Roadway and Utility Easement recorded on July 1, 2016 as Document Number 4073144 over a portion of PID# 02.029.21.24.0001, legally described as follows:

Commencing at the southeasterly corner of said Outlot A; thence North 00 degrees 32 minutes 13 seconds West (assumed bearing) along the easterly line of said Outlot A a distance of 1067.48 feet to the point of beginning of the line to be described; thence on a bearing of WEST a distance of 613.32 feet; thence northwesterly 45.49 feet along a non-tangential curve concave to the southwest, having a radius of 76.95 feet, a central angle of 33 degrees 52 minutes 15 seconds and a chord bearing of North 73 degrees 08 minutes 48 seconds West; thence South 89 degrees 55 minutes 04 seconds West and tangent to last described curve a distance of 12.72 feet; thence westerly 211.81 feet along a tangential curve concave to the north, having a radius of 2003.92 feet and a central angle of 6 degrees 03 minutes 22 seconds; thence westerly 210.85 feet long a reverse curve concave to the south, having a radius of 483.60 feet and a central angle of 24 degrees 58 minutes 50 seconds; thence westerly 311.81 feet along a reverse curve concave to the north, having a radius of 924.85 feet and a central angle 19 degrees 19 minutes 01 second; thence northerly 123.99 feet along a non-tangential curve concave to the west, having a radius of 563.51 feet, a central angle of 12 degrees 36 minutes 24 seconds and a chord bearing of North 3 degrees

27 minutes 01 seconds West; thence North 9 degrees 33 minutes 58 seconds West, tangent to last described curve, a distance of 143.11 feet; thence northerly 144.60 feet along a tangential curve concave to the east, having a radius of 356.27 feet and a central angle of 23 degrees 15 minutes 19 seconds to the northerly line of said Outlot A and said line there terminating. The full width of said 50 foot easement to be prolonged to terminate at said northerly line of Outlot A.

WHEREAS, the City Clerk reviewed and examined the signatures on said request and determined that such signatures constituted all of the landowners abutting upon the portion of easement to be vacated and rededicated; and

WHEREAS, a public hearing to consider the vacation of the Permanent Public Roadway and Utility Easement was held on the 1st day of August 2017 before the City Council in the Lake Elmo City Hall located at 3800 Laverne Avenue North at 7:00 p.m. or shortly thereafter after due published and posted notice had been given, as well as personal mailed notice to all property owners within 350 feet of the Public Roadway and Utility Easement by the City Clerk on the 19th day of July 2017 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 vacation will benefit the public interest because:

- 1) The City has granted Final Plat Approval for Hidden Meadows 2nd Addition, which includes PID# 02.029.21.24.0001, a portion over which the easement has been recorded, which will grant the City more appropriate easements for similar purposes.

WHEREAS, the Council, at its meeting on the 1st day of August 2017, considered the easement 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 an existing Public Roadway and Utility Easement is hereby granted in accordance with the property descriptions provided above, subject to the following condition:

- 1) Recording of the Hidden Meadows 2nd Addition Final Plat.

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 1st day of August 2017.

Effective Date: _____

Approved:

Mike Pearson, Mayor

Attested by:

Julie Johnson, City Clerk

Receipt# 327871

4073144

EAS: \$46.00
CRV Not Required
Exempt from Tax



Certified Filed and/or recorded on:

7/1/2016 9:07 AM

4073144

Return to:
WASH CO DEPT OF
TRANSPORTATION
11660 MYERON RD N
STILLWATER MN 55082

Office of the County Recorder
Washington County, Minnesota
Jennifer Wagenius, County Recorder
Kevin Corbid, Auditor Treasurer

PERMANENT PUBLIC ROADWAY AND UTILITY EASEMENT AGREEMENT

THIS PERMANENT PUBLIC ROADWAY AND UTILITY EASEMENT AGREEMENT shall be effective as of the date that the last party executes this Agreement, is made by and between, Rockpoint Church hereinafter referred to as the "Owner," and the City of Lake Elmo, a Minnesota municipal corporation, hereinafter referred to as the "City."

The Owner owns the real property situated within Washington County, Minnesota as described on the attached **Exhibit A** (hereinafter "Owner's Property").

The Owner, in consideration of one dollar (\$1.00) and other good and valuable consideration, does hereby grant and convey to the City, its successors and assigns, the following:

1. **A permanent easement for roadway, utility and drainage purposes; including all rights of a "roadway easement", a "drainage easement" and "utility easement" as defined by Minn. Stat. § 505.01, Subd. 3(b), 3(h) and 3(j); and, all such purposes ancillary, incident or related thereto (hereinafter the "Permanent Easement")** under, over, across, through and upon that real property identified and legally described on **Exhibit B**, attached hereto and incorporated herein by reference (hereinafter the "Permanent Easement Area")

The Permanent Easement rights granted herein are forever and shall include, but not be limited to, the construction, maintenance, inspection, repair and replacement of any roadway, sanitary sewer, storm sewer, , water mains, utilities, underground pipes, conduits, other utilities and mains, and also together with the right to excavate and refill ditches and/or trenches for the location of said public roadway and utilities and the further right to remove trees, bushes, undergrowth and other obstructions interfering in the location, construction and maintenance of said public roadway and utilities, and all facilities and improvements ancillary, incident or related thereto, under, over, across, through and upon the Permanent Easement Area.

EXEMPT FROM STATE DEED TAX

The rights of the City also include the right of the City, its contractors, agents and servants:

- a.) to enter upon the Permanent Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of this Permanent Easement; and
- b.) to maintain the Permanent Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- c.) to remove from the Permanent Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the pipes, conduits, or mains and to deposit earthen material in and upon the Permanent Easement Area; and
- d.) to remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area as the City may deem appropriate.
- e.) to prohibit unreasonable obstructions or interference with its use of the Permanent Easement Area.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to the Permanent Easement Area or the Owner's Property prior to the date hereof, except to the extent caused or exacerbated by the negligence or willful conduct of the City.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by the Owner, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Owner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Owner's Property described on Exhibit A, and the Permanent Easement Area described on Exhibit B, and has good right to grant and convey the Permanent Easement herein to the City. In addition, the Owner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, the right of after acquired title to the Permanent Easement granted and conveyed in this Agreement provided that the Owner receives title to all or part of the Permanent Easement Area after the recording of this Agreement.

EXHIBIT A

LEGAL DESCRIPTION OF OWNER'S PROPERTY

LOT A, SUBDIVISION CD 02126, SUBDIVISION NAME HIDDEN MEADOWS OF LAKE ELMO

EXHIBIT B
LEGAL DESCRIPTION OF
THE PERMANENT EASEMENT AREA

A perpetual 50 foot wide easement for road, drainage and utility purposes over, under and across part of Outlot A, HIDDEN MEADOWS OF LAKE ELMO, Washington County, Minnesota, the southerly and westerly line of said easement is described as follows:

Commencing at the southeasterly corner of said Outlot A; thence North 00 degrees 32 minutes 13 seconds West (assumed bearing) along the easterly line of said Outlot A a distance of 1067.48 feet to the point of beginning of the line to be described; thence on a bearing of WEST a distance of 316.32 feet; thence northwesterly 45.49 feet along a non-tangential curve concave to the southwest, having a radius of 76.95 feet, a central angle of 33 degrees 52 minutes 15 seconds and a chord bearing of North 73 degrees 08 minutes 48 seconds West; thence South 89 degrees 55 minutes 04 seconds West and tangent to last described curve a distance of 12.72 feet; thence westerly 211.81 feet along a tangential curve concave to the north, having a radius of 2003.92 feet and a central angle of 6 degrees 03 minutes 22 seconds; thence westerly 210.85 feet along a reverse curve concave to the south, having a radius of 483.60 feet and a central angle of 24 degrees 58 minutes 50 seconds; thence westerly 311.81 feet along a reverse curve concave to the north, having a radius of 924.85 feet and a central angle of 19 degrees 19 minutes 01 second; thence North 89 degrees 41 minutes 23 seconds West, tangent to last described curve, a distance of 127.01 feet; thence northerly 123.99 feet along a non-tangential curve concave to the west, having a radius of 563.51 feet, a central angle of 12 degrees 36 minutes 24 seconds and a chord bearing of North 3 degrees 27 minutes 01 seconds West; thence North 9 degrees 33 minutes 58 seconds West, tangent to last described curve, a distance of 143.11 feet; thence northerly 144.60 feet along a tangential curve concave to the east, having a radius of 356.27 feet and a central angle of 23 degrees 15 minutes 19 seconds to the northerly line of said Outlot A and said line there terminating. The full width of said 50 foot easement to be prolonged to terminate at said northerly line of Outlot A.



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ITEM #:

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FROM: Emily Becker, City Planner
AGENDA ITEM: Hidden Meadows Easement Vacation, Outlot A
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

Hidden Meadows 1st Addition was approved on 5/16/2006 which included the platting of the Rock Point Church property and two outlots proposed for a future OP - Open Space Preservation development. The deadline for final plat application for the OP development was extended from January 2007 to January 2, 2018. With last final plat extension, the owner granted a drainage and utility easement over the watermain in Outlot A through recording Document 4073144 on July 1, 2016. The Hidden Meadows 2nd Addition Final Plat was approved by Council on July 5, 2017. The aforementioned easement will need to be vacated prior to recording of this plat. New easements will be provided with recording of the Final Plat.

ISSUE BEFORE COUNCIL:

The Council is respectfully being requested to hold a public hearing and consider approval of vacation of the drainage and utility easement over the watermain in Outlots A, Hidden Meadows.

PROPOSAL DETAILS/ANALYSIS:

The easement vacation is needed in order for Hidden Meadows 2nd Addition to be recorded. New easements will be put into place as required with the recording of the Hidden Meadows 2nd Addition. A public hearing is required for an easement vacation according to M.S. 412.851.

FISCAL IMPACT:

None

OPTIONS:

The Council may approve or deny the easement vacation.

RECOMMENDATION:

Staff recommends approval of the request for vacation of the drainage and utility easement over Outlot A, Hidden Meadows, as recorded by Document 4073144 subject to the following condition:

- 1) Hidden Meadows 2nd Addition Final Plat must be recorded.

“Move to approve Resolution 2017-078 approving the vacation of the drainage and utility easement over Outlot A, Hidden Meadows as recorded by Document 4073144, subject to one condition as recommended by Staff.”

ATTACHMENTS:

- Resolution 2017-078
- Recorded Easement, Document 4073144

Receipt# 327871

4073144

EAS: \$46.00
CRV Not Required
Exempt from Tax



Certified Filed and/or recorded on:

7/1/2016 9:07 AM

4073144

Return to:
WASH CO DEPT OF
TRANSPORTATION
11660 MYERON RD N
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Office of the County Recorder
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The Owner owns the real property situated within Washington County, Minnesota as described on the attached **Exhibit A** (hereinafter "Owner's Property").

The Owner, in consideration of one dollar (\$1.00) and other good and valuable consideration, does hereby grant and convey to the City, its successors and assigns, the following:

1. A permanent easement for roadway, utility and drainage purposes; including all rights of a "roadway easement", a "drainage easement" and "utility easement" as defined by Minn. Stat. § 505.01, Subd. 3(b), 3(h) and 3(j); and, all such purposes ancillary, incident or related thereto (hereinafter the "Permanent Easement") under, over, across, through and upon that real property identified and legally described on **Exhibit B**, attached hereto and incorporated herein by reference (hereinafter the "Permanent Easement Area")

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The rights of the City also include the right of the City, its contractors, agents and servants:

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- b.) to maintain the Permanent Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- c.) to remove from the Permanent Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the pipes, conduits, or mains and to deposit earthen material in and upon the Permanent Easement Area; and
- d.) to remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area as the City may deem appropriate.
- e.) to prohibit unreasonable obstructions or interference with its use of the Permanent Easement Area.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to the Permanent Easement Area or the Owner's Property prior to the date hereof, except to the extent caused or exacerbated by the negligence or willful conduct of the City.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by the Owner, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

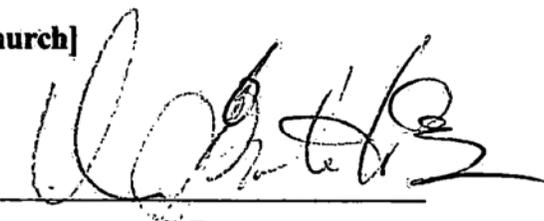
The Owner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Owner's Property described on Exhibit A, and the Permanent Easement Area described on Exhibit B, and has good right to grant and convey the Permanent Easement herein to the City. In addition, the Owner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, the right of after acquired title to the Permanent Easement granted and conveyed in this Agreement provided that the Owner receives title to all or part of the Permanent Easement Area after the recording of this Agreement.

This Permanent Easement Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN TESTIMONY WHEREOF, the Owner and the City have caused this Permanent Easement Agreement to be executed as follows:

Owner:
[Rockpoint Church]

Signature: 
Print Name: Robert M. Brydges

[Rockpoint Church]
Signature: 
Print Name: William Bartolic

STATE OF MINNESOTA)
) ss.
COUNTY OF Washington)

On this 12th day of January, 2016, before me a Notary Public within and for said County, **Robert Brydges** and **William Bartolic** personally appeared to me personally known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.


Notary Public



EXHIBIT A

LEGAL DESCRIPTION OF OWNER'S PROPERTY

LOT A, SUBDIVISION CD 02126, SUBDIVISION NAME HIDDEN MEADOWS OF LAKE ELMO

EXHIBIT B
LEGAL DESCRIPTION OF
THE PERMANENT EASEMENT AREA

A perpetual 50 foot wide easement for road, drainage and utility purposes over, under and across part of Outlot A, HIDDEN MEADOWS OF LAKE ELMO, Washington County, Minnesota, the southerly and westerly line of said easement is described as follows:

Commencing at the southeasterly corner of said Outlot A; thence North 00 degrees 32 minutes 13 seconds West (assumed bearing) along the easterly line of said Outlot A a distance of 1067.48 feet to the point of beginning of the line to be described; thence on a bearing of WEST a distance of 316.32 feet; thence northwesterly 45.49 feet along a non-tangential curve concave to the southwest, having a radius of 76.95 feet, a central angle of 33 degrees 52 minutes 15 seconds and a chord bearing of North 73 degrees 08 minutes 48 seconds West; thence South 89 degrees 55 minutes 04 seconds West and tangent to last described curve a distance of 12.72 feet; thence westerly 211.81 feet along a tangential curve concave to the north, having a radius of 2003.92 feet and a central angle of 6 degrees 03 minutes 22 seconds; thence westerly 210.85 feet along a reverse curve concave to the south, having a radius of 483.60 feet and a central angle of 24 degrees 58 minutes 50 seconds; thence westerly 311.81 feet along a reverse curve concave to the north, having a radius of 924.85 feet and a central angle of 19 degrees 19 minutes 01 second; thence North 89 degrees 41 minutes 23 seconds West, tangent to last described curve, a distance of 127.01 feet; thence northerly 123.99 feet along a non-tangential curve concave to the west, having a radius of 563.51 feet, a central angle of 12 degrees 36 minutes 24 seconds and a chord bearing of North 3 degrees 27 minutes 01 seconds West; thence North 9 degrees 33 minutes 58 seconds West, tangent to last described curve, a distance of 143.11 feet; thence northerly 144.60 feet along a tangential curve concave to the east, having a radius of 356.27 feet and a central angle of 23 degrees 15 minutes 19 seconds to the northerly line of said Outlot A and said line there terminating. The full width of said 50 foot easement to be prolonged to terminate at said northerly line of Outlot A.

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

RESOLUTION NO. 2017-078

*A RESOLUTION VACATING A DRAINAGE AND UTILITY EASEMENT OVER OUTLOT A,
HIDDEN MEADOWS*

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 and Conditional Use Permit for Hidden Meadows 2nd Addition on April 16, 2006 by Resolution 2006-038; and

WHEREAS, PID# 02.029.21.24.0001 is owned by Rockpoint Church, 5825 Kelvin Avenue North, Lake Elmo, MN 55042 (Owner); and

WHEREAS, the City of Lake Elmo was granted a Permanent Public Roadway and Utility Easement over a portion of the PID# 02.029.21.24.0001, and this easement was recorded by the Office of the Registrar of Titles of Washington County on July 1, 2016 as Document Number 4073144; and

WHEREAS, the City has approved Hidden Meadows 2nd Addition Final Plat by Resolution 2017-073 on July 5, 2017, which includes PID#s 02.029.21.24.0001; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the Public Roadway and Utility Easement recorded on July 1, 2016 as Document Number 4073144 over a portion of PID# 02.029.21.24.0001, legally described as follows:

Commencing at the southeasterly corner of said Outlot A; thence North 00 degrees 32 minutes 13 seconds West (assumed bearing) along the easterly line of said Outlot A a distance of 1067.48 feet to the point of beginning of the line to be described; thence on a bearing of WEST a distance of 613.32 feet; thence northwesterly 45.49 feet along a non-tangential curve concave to the southwest, having a radius of 76.95 feet, a central angle of 33 degrees 52 minutes 15 seconds and a chord bearing of North 73 degrees 08 minutes 48 seconds West; thence South 89 degrees 55 minutes 04 seconds West and tangent to last described curve a distance of 12.72 feet; thence westerly 211.81 feet along a tangential curve concave to the north, having a radius of 2003.92 feet and a central angle of 6 degrees 03 minutes 22 seconds; thence westerly 210.85 feet long a reverse curve concave to the south, having a radius of 483.60 feet and a central angle of 24 degrees 58 minutes 50 seconds; thence westerly 311.81 feet along a reverse curve concave to the north, having a radius of 924.85 feet and a central angle 19 degrees 19 minutes 01 second; thence northerly 123.99 feet along a non-tangential curve concave to the west, having a radius of 563.51 feet, a central angle of 12 degrees 36 minutes 24 seconds and a chord bearing of North 3 degrees

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WHEREAS, the City Clerk reviewed and examined the signatures on said request and determined that such signatures constituted all of the landowners abutting upon the portion of easement to be vacated and rededicated; and

WHEREAS, a public hearing to consider the vacation of the Permanent Public Roadway and Utility Easement was held on the 1st day of August 2017 before the City Council in the Lake Elmo City Hall located at 3800 Laverne Avenue North at 7:00 p.m. or shortly thereafter after due published and posted notice had been given, as well as personal mailed notice to all property owners within 350 feet of the Public Roadway and Utility Easement by the City Clerk on the 19th day of July 2017 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 vacation will benefit the public interest because:

- 1) The City has granted Final Plat Approval for Hidden Meadows 2nd Addition, which includes PID# 02.029.21.24.0001, a portion over which the easement has been recorded, which will grant the City more appropriate easements for similar purposes.

WHEREAS, the Council, at its meeting on the 1st day of August 2017, considered the easement 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 an existing Public Roadway and Utility Easement is hereby granted in accordance with the property descriptions provided above, subject to the following condition:

- 1) Recording of the Hidden Meadows 2nd Addition Final Plat.

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 1st day of August 2017.

Effective Date: _____

Approved:

Mike Pearson, Mayor

Attested by:

Julie Johnson, City Clerk