



City Council Memorandum

To: Mayor Hicks & City Councilmembers
From: John Hinzman, Community Development Director
Date: October 17, 2016
Item: Public Hearing\Resolution: Vacation of Easement #2016-39 – Artspace Hastings Lofts

Council Action Requested:

Hold a public hearing and consider adoption of the attached resolution vacating a Drainage and Utility Easement over a portion of Outlot C, RIVERFRONT ADDITION.

Approval of the action requires a simple majority of the City Council.

Background Information:

The vacation is requested in conjunction with the purchase and development of the property by Artspace Hastings Lofts. The City Council has previously granted approvals to construct a mixed use building containing 37 residential units and commercial space on the site.

Public notice of the proposed action has been published, and all property owners within 350 feet of the site have been mailed notice. No comments have been received at this time.

Analysis:

Approval of the vacation is recommended. The easement is no longer needed. Necessary easements have been incorporated into the RIVERFRONT 2ND ADDITION, a replat of the property.

Advisory Commission Discussion:

N\A

Council Committee Discussion:

None

Attachments:

- Resolution
- Location Map

HASTINGS CITY COUNCIL

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS
VACATING A DRAINAGE AND UTILITY EASEMENT WITHIN
RIVERFRONT ADDITION**

Council member _____ introduced the following Resolution and moved its adoption:

WHEREAS, Artspace Hastings Lofts LLLP, applicant, has petitioned on behalf of the Hastings Economic Development and Redevelopment Authority, property owner, for approval to vacate a ten foot drainage and utility easement generally located along the southern property boundary of Outlot C, RIVERFRONT ADDITION, legally described as follows:

All of the 10 foot wide drainage and utility easement adjoining the south line of OUTLOT C, RIVERFRONT ADDITION, and lying west of a line parallel with and 38.5 feet west, as measured at a right angle to the east line of OUTLOT B, RIVERFRONT ADDITION.

WHEREAS, on October 17, 2016, a public hearing on the proposed vacation was held before the City Council of the City of Hastings, which was preceded by proper notice, as required by state law, city charter, and city ordinance; and

WHEREAS, The City of Hastings in all respects proceeded with the vacation hearing as proceeded by the Charter, ordinances, and applicable Minnesota statutes.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

That the request to vacate said easement as legally described above is hereby approved subject to the following conditions:

1. The vacation of easement shall not become effective until recorded with Dakota County.

Council member _____ moved a second to this resolution and upon being put to a vote it was adopted the City Council.

Adopted by the Hastings City Council on October 17, 2016, by the following vote:

Ayes:

Nays:

Absent:

ATTEST:

Paul J. Hicks, Mayor

Julie Flaten,
City Clerk

(City Seal)

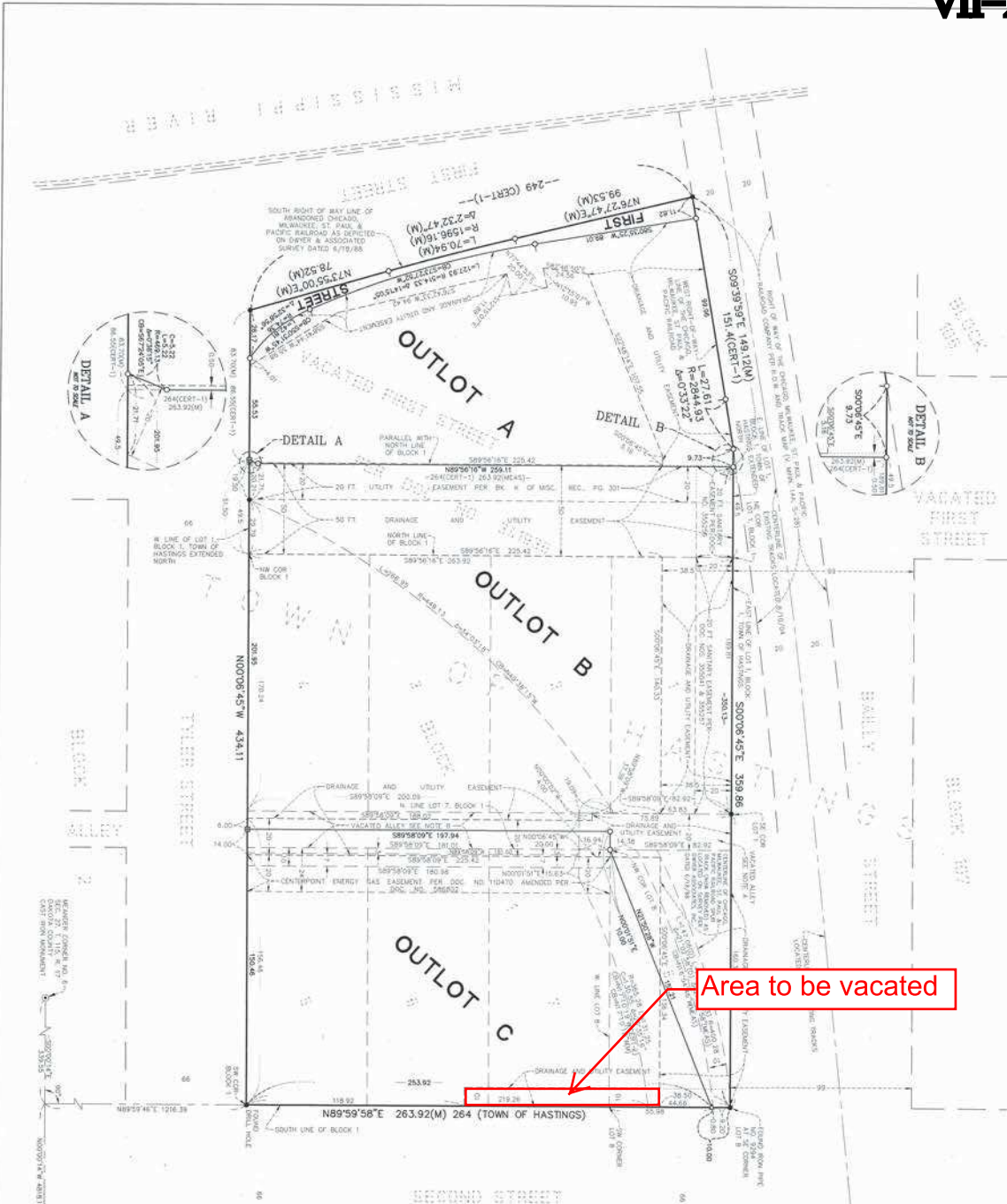
I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 17th day of October 2016, as disclosed by the records of the City of Hastings on file and of record in the office.

Julie Flaten, City Clerk

This instrument drafted by:
City of Hastings (JH)
101 4th St. E.
Hastings, MN 55033

RIVERFRONT ADDITION

COPY



Area to be vacated

NOTES

(A) VACATION OF ALLEY REGARDING DRAINAGE AND UTILITY EASEMENT PER DOC. NOS. 526180 AND 529729. ALSO VACATION OF RESERVED DRAINAGE AND UTILITY EASEMENT PER DOC. NO. 618279 AND DOC. NO. 2504296.

(B) VACATION OF ALLEY PER DOC. NOS. 548829 AND 119466.



ALLIANT ENGINEERING, INC.

SHEET 2 OF 2 SHEETS

8072

Fifty-two