



*City Council Memorandum*

**To:** Mayor Fasbender & City Councilmembers

**From:** Justin Fortney, City Planner

**Date:** June 26, 2023

**Item:** Public Hearing– Vacation of Easement #2023-19 – 1801 & 1811 Chantrey Trail

**Council Action Requested:**

Hold a public hearing to consider vacation of a ten-foot wide drainage and utility easement centered upon the common lot line between Lots 3 and 4, Block 1, Wallin 14<sup>th</sup> Addition. The properties are jointly owned and a single-family home is intended to be constructed over the two lots.

**Background Information:**

The subject easement is meant to protect a subtle drainage swale between the two lots. With the lots being combined for one house the drainage swale wouldn't be necessary. The standard perimeter easements on the remainder of the lot would remain.

**Vacation Procedure** – Hastings Home Rule Charter Section 7.05 regulates the vacation of streets and alleys. The City Council may consider vacating public ways upon published and mailed notice to any affected property owners.

**Recommendation** – Approval of the vacation is recommended. The City has determined there is no longer a need for the easement.

**Financial Impact:**

N/A

**Advisory Commission Discussion:**

N/A

**Council Committee Discussion:**

N/A

**Attachments:**

- Location Map
- Plat Map Inset

**HASTINGS CITY COUNCIL**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
VACATING A PERMANENT DRAINAGE AND UTILITY EASEMENT ALONG  
THE JOINT PROPERTY LINE OF LOTS 3 AND 4, BLOCK 1, WALLIN 14TH  
ADDITION**

Council member \_\_\_\_\_ introduced the following Resolution and moved its adoption:

**WHEREAS**, John Leifeld, has petitioned for vacation of a drainage and utility easement on property owned by Gregory and Deborah Wagner legally described as follows:

Vacation of the 10 foot drainage and utility easement centered upon the following legally described line: Commencing at the northeast corner of Lot 3, Block 1, WALLIN 14<sup>TH</sup> ADDITION, Dakota County Minnesota; thence South 07 degrees 36 minutes 49 seconds East a distance of 20 feet to the point of beginning of the line to be described; thence continuing South 07 degrees 36 minutes 49 seconds East a distance of 312.68 feet and thence terminating.

**WHEREAS**, on June 26, 2023, 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 required by the city charter, ordinances, and applicable 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 by all Council Members present.

Adopted by the Hastings City Council on June 26, 2023, by the following vote:

Ayes:  
Nays:  
Absent:

ATTEST:

\_\_\_\_\_  
Mary Fasbender, Mayor

\_\_\_\_\_  
Kelly Murtaugh  
City Clerk

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 26<sup>th</sup> day of June, 2023, as disclosed by the records of the City of Hastings on file and of record in the office.

\_\_\_\_\_  
Kelly Murtaugh  
City Clerk

(SEAL)

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

**LOCATION MAP**



Plat depiction of easement

