

### 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:**

 $N \setminus A$ 

#### **Advisory Commission Discussion:**

 $N \setminus A$ 

#### **Council Committee Discussion:**

 $N \setminus A$ 

#### **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 statues.

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

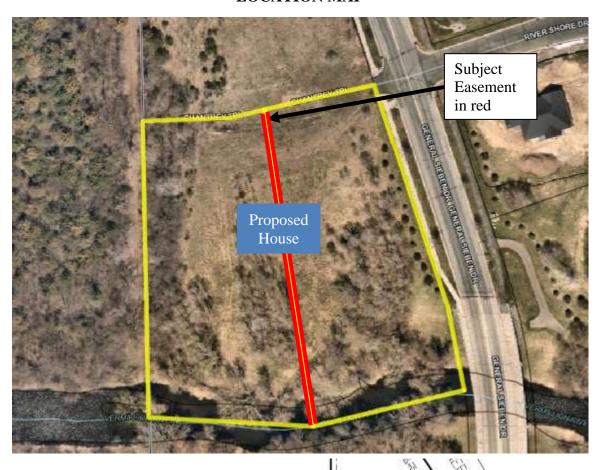
That the request to vacate said easement as legally described above is hereby approved subject to the following conditions:

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

IX-04 (a,b)

Council memberupon being put to a vote it was adopted	moved a second to this resolution and
upon being put to a vote it was adopted	1 by all Coulien 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	
and adopted by the City of Hastings, Co	is a true and correct copy of resolution presented to ounty of Dakota, Minnesota, on the 26 <sup>th</sup> day of June, e City of Hastings on file and of record in the office.
Kelly Murtaugh	— (SEAL)
City Clerk	(SEAL)
This instrument drafted by:	
City of Hastings (JH)	
101 4th St. E.	
Hastings, MN 55033	

## **LOCATION MAP**



Plat depiction of easement

2

UTELTY EASEMENT

3

4

Plat depiction of easement

3

4

Plat depiction of easement

8

Plat depiction of easement

9

Plat