

RESOLUTION NO. R2022-058

A RESOLUTION APPROVING THE VACATION OF CERTAIN PUBLIC DRAINAGE AND UTILITY EASEMENTS LOCATED WITHIN OUTLOTS A AND B, SUMMERLAND PLACE FIRST ADDITION

WHEREAS, Summergate Development, LLC has made application proposing the vacation of public drainage and utility easements as dedicated within Outlots A and B, Summerland Place First Addition; and

WHEREAS, it has been presented to the Shakopee City Council that certain public drainage and utility easements as dedicated within Outlots A and B, Summerland Place First Addition, are no longer of public use or interest; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of April 7, 2022, and unanimously recommended approval to the City Council; and

WHEREAS, a public hearing to consider the action to vacate the public drainage & utility easements was held in the Council Chambers of the City Hall in the City of Shakopee at 7:00 P.M. on the 19th day of April, 2022; and

WHEREAS, the proposed vacation is described as: public drainage and utility easement lying over, under and across Outlots A and B, Summerland Place First Addition as depicted on the attached Summerland Place First Addition Plat; and

WHEREAS, ten days published notice was provided by publication of the notice in the SHAKOPEE VALLEY NEWS and posted notice was provided by posting such notice on the bulletin board in the Shakopee City Hall.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA, that it finds and determines that the vacation of public drainage & utility easements as identified above is in the public interest, provided the following conditions are met:

1. A title search shall be conducted to confirm other interest from utility holders in any existing/underlying easements on the property.
2. Vacation of easements shall be concurrent with new drainage and utility easements being granted with the final plat of Summerland Place Second Addition.
3. SPU requires on the final plat of Summerland Place Second Addition an easement of the rerouting of the public watermain only.
4. At time of building permit approval, SPU will need water and electric utility service plans and documents signed, review/inspection fees and Water Connection Charges paid, and record of an approved Dept. of Health permit.

After the adoption of the Resolution, the City Clerk shall file certified copies hereof with the County Auditor and County Recorder of Scott County.

Adopted in _____ session of the City Council of the City of Shakopee, Minnesota, held the _____ day of _____, 2022.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk