RESOLUTION R2022-091

A RESOLUTION APPROVING THE VACATION OF CERTAIN PUBLIC DRAINAGE AND UTILITY EASEMENTS LOCATED WITHIN OUTLOT A OF WINDERMERE SOUTH 5TH ADDITION

WHEREAS, D.R. Horton, Inc. - Minnesota has made application proposing the vacation of public drainage and utility easements as dedicated within Outlot A of Windermere South 5th Addition; and

WHEREAS, it has been presented to the Shakopee City Council that certain public drainage and utility easements as dedicated within Outlot A of Windermere South 5th Addition are no longer of public use or interest; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of July 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 July, 2022; and

WHEREAS, the proposed vacation is described as: public drainage and utility easement lying over, under and across Outlot A of Windermere South 5th Addition as depicted on the attached Vacation Sketch; 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 Windermere South 6th Addition, consistent with City Engineering and SPU requirements.

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

DRAFT

Adopted in Regular session of the City Council of the City of Shakopee, Minnesota, held the 17th day of July, 2022.

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Mayor of the City of Shakopee

ATTEST:

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Lori Hensen, City Clerk