

RESOLUTION R2022-105

A RESOLUTION APPROVING THE VACATION OF PUBLIC DRAINAGE AND UTILITY EASEMENTS LOCATED WITHIN LOT 2, BLOCK 1, BEHRINGER'S 1ST ADDITION

WHEREAS, Swervo Development Corporation and the City of Shakopee have made application proposing the vacation of public drainage and utility easements as dedicated within Lot 2, Block 1, Behringer's 1st Addition; and

WHEREAS, it has been presented to the Shakopee City Council that public drainage and utility easements as dedicated within Lot 2, Block 1, Behringer's 1st Addition are no longer of public use or interest; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of August 4, 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 16th day of August, 2022; and

WHEREAS, the proposed vacation is described as: public drainage and utility easement lying over, under and across LOT 2, BLOCK 1, BEHRINGER'S 1ST ADDITION as depicted on the attached 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 CANTERBURY AMP 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.

Adopted in Regular session of the City Council of the City of Shakopee, Minnesota,
held the 16th day of August, 2022.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk