RESOLUTION R2022-155

A RESOLUTION APPROVING THE VACATION OF PUBLIC RIGHT-OF-WAY (SEGMENT ADJACENT TO MORAINE DRIVE) LOCATED WITHIN GLACIER ESTATES

WHEREAS, Scott County CDA has made application proposing the vacation of public right-of-way (segment adjacent to Moraine Drive) as dedicated within Glacier Estates; and

WHEREAS, it has been presented to the Shakopee City Council that public right-of-way (segment adjacent to Moraine Drive) as dedicated within Glacier Estates are no longer of public use or interest; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of December 8, 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 20th day of December, 2022; and

WHEREAS, the proposed vacation is described as: public right-of-way (segment adjacent to Moraine Drive) as dedicated within Glacier Estates as depicted on the attached Vacation Exhibit; 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 right-of-way as identified above is in the public interest, provided the following conditions are met:

1. Conduct a title search to confirm other interest from utility holders in any existing/underlying easements on the property.
2. Vacation of right-of-way shall not impact the existing Emergency Access/Trail Easement that encompasses a portion of the area to be vacated.
3. Dedicate Emergency Access/Trail Easement over the portion of trail currently located in the public right-of-way being vacated.

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 20th day of December, 2022.

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Mayor of the City of Shakopee

ATTEST:

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Lori Hensen, City Clerk