RESOLUTION R2023-116

A RESOLUTION APPROVING THE VACATION OF CERTAIN PUBLIC DRAINAGE AND UTILITY EASEMENTS LOCATED WITHIN OPUS MVW PLAT

WHEREAS, Woolpert, Inc. has made an application proposing the vacation of public drainage and utility easements as dedicated within the OPUS MVW plat; and

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

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of October 5, 2023, 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 17th day of October 2023; and

WHEREAS the proposed vacation is described as: public drainage and utility easements lying over, under and across Lot 2, Block 1, OPUS MVW as depicted on the attached Easement Vacation Sketches; 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 contingent on new drainage and utility easements being dedicated with the final plat of J & J Minneapolis plat, per City Engineering and SPU requirements.
3. If any SPU facilities exist in the vacated easements, new easements will be required to be dedicated over the facility per SPU policy.

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 October, 2023.

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Mayor of the City of Shakopee

ATTEST:

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Lori Hensen, City Clerk