

RESOLUTION NO. R2018-048

**A RESOLUTION APPROVING A VACATION OF A PUBLIC RIGHT-OF-WAY
AND PUBLIC DRAINAGE & UTILITY EASEMENTS
OF CANTERBURY PARK 5TH AND 6TH ADDITIONS**

WHEREAS, Canterbury Development, LLC, property owner, and Doran Canterbury I, LLC, applicant, have made application proposing the vacation of Public Right of Way and Public Drainage and Utility Easements of Canterbury Park 5th and 6th Additions; and

WHEREAS, it has been made to appear to the Shakopee City Council that a public right-of-way (Shenandoah Drive) and public drainage & utility easements for property located north of Eagle Creek Blvd., East of Shenandoah Drive extended @ Eastway Avenue, South of 4th Avenue East and West of Vierling Drive @ 12th Avenue East is no longer of public use or interest; and

WHEREAS, the proposed vacation is described as: (see attached Easement Vacation Exhibit Sheet No. 1/1, dated 03/20/2018); and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of April 5, 2018, and unanimously recommended approval to the City Council; and

WHEREAS, a public hearing to consider the action to vacate the public 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 April, 2018; 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 on the main floor of the Scott County Courthouse, the bulletin board at the U.S. Post Office, the bulletin board at the Shakopee Public Library, and the bulletin board in the Shakopee City Hall.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA,

1. It finds and determines that the vacation of Public right-of-way (Shenandoah Drive) and Public Drainage and Utility Easements at Canterbury Park 5th and

6th Additions as identified in the Easement Vacation Exhibit (attached) is in the public interest (with the exception of the water main only easement - document no. 139654).

2. The applicant shall provide the recommended rights-of-way and drainage & utility easements to the public in the proposed Canterbury Park 7th Addition, as required by City Engineering and SPUC.
3. All existing public drainage and utility easements must be vacated and rededicated on the Final Plat including any newly identified easements. Recording of this Resolution shall occur concurrently with the recording of the Canterbury Park 7th Addition Final Plat.

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 the _____ session of the City Council of the City of Shakopee, Minnesota, held the _____ day of _____, 2018.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk