

RESOLUTION NO. R2019-004

A RESOLUTION APPROVING A VACATION OF A PUBLIC UTILITY EASEMENT LOCATED IN THE CITY OF SHAKOPEE PLAT

WHEREAS, Scott County, property owner and applicant, have made application proposing the vacation of a Public Utility Easement located in the City of Shakopee Plat; and

WHEREAS, it has been made to appear to the Shakopee City Council that a 25-foot-wide public utility easement associated with the previously vacated Fuller Street (between 4th and 5th Avenues) is no longer of public use or interest; and

WHEREAS, the proposed vacation is described as the west 25 feet of vacated Fuller Street between 4th & 5th Avenues and between Block 57 and COURTHOUSE SQUARE, City of Shakopee, Scott County, Minnesota; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of January 3, 2019, 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 22nd day of January, 2019; 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, that it finds and determines that the vacation of public utility easement as identified above is in the public interest, provided the following conditions are met:

1. The applicant shall contact Shakopee Public Utilities Commission to discuss requirements to relocate the existing underground electric services or modify the

building plans so as to not build over the top of the underground electric distribution facilities.

2. Applicant is responsible for all costs associated with the underground electric relocation.
3. The applicant shall grant an underground electric easement to Shakopee Public Utilities Commission.

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 _____, 2019.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk