

RESOLUTION NO. R2019-036

A RESOLUTION APPROVING THE VACATION OF ALL ALLEY RIGHT-OF-WAY LOCATED IN BLOCK 5, EAST SHAKOPEE

WHEREAS, Jack Hurst, property owner and applicant, has made application proposing the vacation of all alley right-of-way located in Block 5, East Shakopee; and

WHEREAS, it has been made to appear to the Shakopee City Council that the alley right-of-way in Block 5, East Shakopee is not of public use or interest; and

WHEREAS, the proposed vacation is described as all alley right-of-way in Block 5, East Shakopee, Scott County, Minnesota; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of March 7th, 2019, and unanimously recommended approval to the City Council; and

WHEREAS, a public hearing to vacate the public right-of-way (alley) was held in the Council Chambers of the City Hall in the City of Shakopee at 7:00 P.M. on the 19th day of March, 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 right-of-way as identified above is in the public interest, and that the vacated areas will be given proportionately to each adjacent property owner provided the following conditions are met:

1. The adjacent property owners must dedicate drainage and utility easements, as well as an easement for the existing overhead electric facilities, over the entire right-of-way area to be vacated to each.
2. Use of the vacated alley area must comply with City Code and conditions of the required drainage and utility easements. If a new driveway area that connects to a

street is created, a Right-of-Way Permit is required prior to the alteration of the existing curb and street right-of-way area

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