

RESOLUTION NO. R2020-061

**A RESOLUTION APPROVING THE VACATION OF PUBLIC DRAINAGE AND
UTILITY EASEMENTS LOCATED WITHIN LOT 1, BLOCK 1, FRIENDSHIP
CHURCH**

WHEREAS, Friendship Baptist Church, property owner, and D.R. Horton, Inc. – Minnesota, applicant, have made application proposing the vacation of public drainage & utility easements as dedicated within Lot 1, Block 1 FRIENDSHIP CHURCH, located at the northwest corner of CSAH 78 and west of Marystown Road (CSAH 15); and

WHEREAS, it has been presented to the Shakopee City Council that public drainage & utility easements within Lot 1, Block 1, FRIENDSHIP CHURCH, are no longer of public use or interest; and

WHEREAS, the proposed vacation is described as: the public drainage and utility easements lying over, under and across those parts within Lot 1, Block 1 FRIENDSHIP CHURCH, as depicted on the attached sketch; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of May 7, 2020, 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 19th day of May, 2020; 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 and utility easements as identified above is in the public interest, provided the following condition is met:

1. Vacate all existing public drainage and utility easements dedicated via plat or document.
2. Vacation of easements shall be contingent on new drainage and utility easements being granted with the final plat of Windermere South 3rd Addition.
3. Conduct a title search to confirm other interest from utility holders in any existing/underlying easements on the property.

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 _____, 2020.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk