

RESOLUTION NO. 7862

**A RESOLUTION APPROVING A VACATION OF PUBLIC ROAD EASEMENT
FOR SMSC PROPERTY SOUTH OF EAGLEWOOD DRIVE, WEST OF
MARSHALL ROAD AND NORTH OF 160TH STREET**

WHEREAS, The Shakopee Mdewakanton Sioux Community (SMSC) has made an application proposing the vacation of a public road easement for property located north of 160th Street, west of Marschall Road and south of Eaglewood Drive; and

WHEREAS, it has been made to appear to the Shakopee City Council that this public road easement is no longer of public use or interest; and

WHEREAS, the public road easement to be vacated was recorded in the Office of the Scott County Recorder as Document No. 157910, and is identified within attached Exhibit A (legal description of affected properties) and Exhibit B (legal description of easement to be vacated); and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of April 6, 2017, and unanimously recommended approval with conditions to the City Council; and

WHEREAS, a public hearing to consider the action to vacate the public road easement was held in the Council Chambers of the City Hall in the City of Shakopee at 7:00 P.M. on April 18, May 2, and May 16, 2017; 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; and

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 road easement for property located north of 160th Street, west of Marschall Road and south of Eaglewood Drive, recorded as Document No. 157910 and identified in Exhibits A & B, is in the public interest.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA, THAT:

1. The City and SMSC agree to the Letter of Understanding (see attached Exhibit C) concerning the vacation of the easement and the Parties commitment to cooperate in the future to establish a roadway connecting 160th Street East on the south to Eaglewood Drive on the north.

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 _____, 2017.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk