

RESOLUTION NO. R2020-086

A RESOLUTION APPROVING A VACATION OF PUBLIC DRAINAGE & UTILITY EASEMENTS LOCATED WITHIN LOTS 1 AND 2, BLOCK 2, CRETEX INDUSTRIAL PARK 1ST ADDITION

WHEREAS, Cretex Industrial Park, LLC, property owner and applicant, have made application proposing the vacation of public drainage and utility easements as dedicated within Lots 1 & 2, Block 2, Cretex Industrial Park 1st Addition, located east of 70th Street and west of Stagecoach Road; and

WHEREAS, it has been presented to the Shakopee City Council that public drainage & utility easements within Lots 1 & 2, Block 2, Cretex Industrial Park 1st Addition are no longer of public use or interest; and

WHEREAS, the proposed vacation is described as: all those utility and drainage easements, originally dedicated on the recorded plat of Cretex Industrial Park 1st Addition, Scott County, Minnesota, which lie within Lots 1 and 2, Block 2, and as depicted on the attached sketch; and

WHEREAS, the Shakopee Planning Commission considered the request at its meeting of July 9, 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 21st day of July, 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 & utility easements as identified above is in the public interest, provided the following conditions are met:

1. The vacation shall be concurrent with new drainage & utility easements being granted with the proposed Hentges Industrial Park final plat per city standards and at the requested size and locations.
2. A title search shall be conducted to confirm other interest from utility holders in any existing/underlying easements on the property.
3. The applicant shall pay all costs in regard to relocating Comcast facilities in easement if relocation is required.

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