

# Attachment A

## RESOLUTION NO. 22-108

### CITY OF MAPLE GROVE

#### RESOLUTION PARTIALLY VACATING CERTAIN EASEMENT LOCATED IN THE CITY OF MAPLE GROVE, COUNTY OF HENNEPIN, STATE OF MINNESOTA EASEMENT VACATION 22-03

WHEREAS, currently there is an easement for street and roadway purposes created by that document dated December 28, 1967, recorded January 25, 1968 as Document No. 900640 with the Hennepin County Registrar of Titles (“**Easement**”), which Easement area includes, among other properties, the property legal described on attached Exhibit A (“**Easement Area**”); and

WHEREAS, a public hearing regarding the vacation of the Easement encumbering the Easement Area was held by the City Council on the 20<sup>th</sup> day of June, 2022, at which hearing all persons interested to be heard thereon were given an opportunity to be heard; and

WHEREAS, the City has sent notice to certain companies regarding any existing facilities within the Easement Area (“**Existing Facilities**”); and

WHEREAS, the Easement within the Easement Area has existed for over 50 years and has never been utilized or improved by the City. The City has no future plans to improve the Easement Area. The Easement within the Easement Area does not serve a public purpose, except for five (5) feet of the Easement along lot lines (“**Retained Easement Area**”); and

WHEREAS, upon the Conditions (defined below) being met to the satisfaction of the City, the Easement within the Easement Area will no longer be needed by the City and a vacation of the Easement within the Easement Area is in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove, Minnesota that the Easement within the Easement Area is herein and hereby vacated except for the Retained Easement Area as legally described on attached Exhibit B, which vacation shall not become effective until: (i) the concerns of the companies, if any, regarding the Existing Facilities are resolved; (ii) the Easement Area, except the Retained Easement Area, is designated or rezoned with the Tree Preservation overly zoning district; and (iii) a Notice of Vacation bearing the City’s seal is recorded in the Office of the Hennepin County Recorder and/or the Hennepin County Registrar of Titles (collectively, the “**Conditions**”). The recording of a Notice of Vacation shall be considered satisfaction by the City of the Conditions.

Adopted by the City Council on this 20<sup>th</sup> day of June, 2022.

The motion for the adoption of the foregoing resolution was made by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and upon vote being duly taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following were absent:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA    )  
COUNTY OF HENNEPIN   ) SS.  
CITY OF MAPLE GROVE   )

I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 22-108 is a true and correct copy of the Resolution as adopted by the City Council on the 20<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**The Easement Area**

The Southerly 25 feet of Outlot M, WALDON SHORES, according to the recorded plat thereof, Hennepin County, Minnesota.

Together with:

The Northerly 25 feet of Tract A, Registered Land Survey No. 1288, Hennepin County, Minnesota.

Together with:

The Northerly 25 feet of Tract I, Registered Land Survey No. 1288, Hennepin County, Minnesota.

## **EXHIBIT B**

### **Retained Easement Area**

The Southerly 5 feet of Outlot M, WALDON SHORES, according to the recorded plat thereof, Hennepin County, Minnesota.

Together with:

The Northerly 5 feet of Tract A, Registered Land Survey No. 1288, Hennepin County, Minnesota.

Together with:

The Northerly 5 feet of Tract I, Registered Land Survey No. 1288, Hennepin County, Minnesota.