

RESOLUTION NO. 04-15-10

A RESOLUTION VACATING A PORTION OF A PUBLIC ALLEY

THE CITY COUNCIL FOR THE CITY OF LA CRESCENT, MINNESOTA, DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City Council called for a public hearing noting its interest in vacating pursuant to Minnesota Statute § 412.851 a portion of the platted alley lying east of Walnut Street between Main Street and North 1st Street described as: the most easterly portion of the platted alley approximately 85' x 18.5' lying southerly of Lots One (1) and Two (2), Block Six (6) and northerly of Lot Nine (9), Block Six (6) of Manton Plat to the City of La Crescent, as illustrated on the attached map; and setting a public hearing to consider the vacation of such street; and

WHEREAS, a public hearing to consider the vacation of such street was held on April 27, 2015 before the City Council in the City Hall located 315 Main Street, La Crescent, Minnesota at 5:35 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Attorney on the 6th day of April, 2015, and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because the proposed alley is not used by the City and vacation of the alley will provide an opportunity to encourage industry and expand employment opportunities.

WHEREAS, four-fifths of all members of the City Council concur in this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LA CRESCENT, COUNTY OF HOUSTON MINNESOTA, that such petition for vacation is hereby granted and the portion of the alley described as follows is hereby vacated: the most easterly portion of the platted alley approximately 85' x 18.5' lying southerly of Lots One (1) and Two (2), Block Six (6) and northerly of Lot Nine (9), Block Six (6) of Manton Plat to the City of La Crescent, as illustrated on the attached map. Reserving onto the City of La Crescent an easement through said vacated alley for all utility purposes.

BE IT FURTHER RESOLVED, that the Acting Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Adopted by the Council this 27th day of April, 2015.

Approved:

Acting Mayor

Attested:

City Administrator