

RESOLUTION NO. 2022-XX

A resolution of the City Council for the City of Columbia Heights, Minnesota, approving an easement vacation for property located in the City of Columbia Heights, Minnesota, legally described as:

Storm Water Drainage and Utility Easement per Document No. 1554478A, as graphically depicted in attached ALTA/NSPS Land Title Survey.

WHEREAS, a proposal (Planning Case # 2022.0301) has been submitted by Reuter Walton Development to the City Council requesting an easement vacation at the following site:

ADDRESS: 825 41st Avenue NE
Columbia Heights, MN 55421

THE APPLICANT SEEKS THE FOLLOWING: Easement vacation per Code Section 9.104.-(J), of the above legally described easement.

WHEREAS, the Planning and Zoning Commission held an informal public hearing as required by the City Zoning Code on March 1, 2022;

WHEREAS, the City Council held a formal public hearing as required by the City Zoning Code on March 14, 2022;

WHEREAS, the City Council has considered the advice and recommendations of the Planning and Zoning Commission regarding the effect of the proposed easement vacation upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. No private rights will be injured or endangered as a result of the vacation.
2. The public will not suffer loss or inconvenience as a result of the vacation.

FURTHER, BE IT RESOLVED, that the attached plans, maps, and other information shall become part of this easement vacation; and in granting approval the City and the applicant agree that the easement vacation shall become null and void if the resolution is not recorded with Anoka County within one (1) calendar year after the approval date, subject to petition for renewal.

CONDITIONS OF APPROVAL

1. The applicant shall be responsible for providing legal descriptions of all easements that are subject to be created or amended as a result of the easement vacation. Said descriptions are subject to review by the City Attorney. Once approved, the applicant shall be responsible for recording the newly created or

amended easements with the Anoka County Recorder's Office.

2. The applicant shall be responsible for recording the easement vacations with the Anoka County Recorder's Office.
3. The vacation of easement is contingent upon the recording of the associated Final Plat with the Anoka County Recorder's Office.

ORDER OF COUNCIL

Passed this 14th day of March, 2022

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary