



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, July 28, 2020
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Review and approve amended Resolution No. 4042, being a resolution for vacation of a city street in the City of Marshall pursuant to City Charter and State Statutes
<b>Background Information:</b>	<p>The City of Marshall is proposing to improve drainage in the Merit Center and driving track region of the City of Marshall. There is an existing former township road (290th Street) in the region. That township road is now a City street pursuant to annexation of the surrounding property into the City of Marshall.</p> <p>In 2014, a resolution was present to the City Council regarding a vacation of the portion of 290th Street between trunk Hwy 59 and CSAH 33. The previous Resolution No. 4042 was approved by Council action. That resolution, however, has never been filed of record in the recorder's office and as such 290th Street still appears to be as a City Street located within the City of Marshall.</p> <p>The amended resolution attached hereto does address various deficiencies in the prior resolution. It is proposed that the amended resolution herein would be submitted to the appropriate county officials and would then be recorded of record so that the existing 290th Street would then be vacated between trunk Hwy 59 and CSAH 33. By operation of law, the vacation of the roadway would transfer ownership of that roadway to abutting property owners. The resolution, however, does retain all utility easements and does authorize for a drainage easement to be retained by the City. The City is also negotiating with abutting property owners for the conveyance of the road right of way back to the City for future utility and drainage purposes. City officials believe that the vacation of the roadway and retention of easements is in the best interests of the City and that such action will allow for increased drainage in the area. There have been several complaints about area drainage in the Hwy 59 area. It is believed that the vacation of the roadway and improved drainage will address a number of pending concerns.</p>
<b>Fiscal Impact:</b>	None for the vacation of the roadway. There will be additional costs incurred for the development of drainage repairs or maintenance subsequent to the vacation.
<b>Alternative/ Variations:</b>	No alternative action recommended.
<b>Recommendations:</b>	That the City Council approve the amended resolution and direct the appropriate City officials to file the resolution of record and to continue discussions with property owners regarding transfer of vacated roadway back to the City.