



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Jason Anderson
Meeting Date:	Tuesday, March 26, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Vacation of Utility Easement in Minnesota Corn Processors Industrial Park 1 st Addition -- 1) Public Hearing on Resolution Granting Petition to Vacate; 2) Consider Resolution Granting Petition to Vacate
Background Information:	<p>A signed petition for vacation of a utility easement has been received from the owners of all the real property that includes the proposed area for utility easement.</p> <p>A map of the petitioned vacation area is attached.</p> <p>The purpose of the vacation is for the construction of the Solugen facility.</p> <p>A copy of the procedure for vacation of streets by resolution, included in Sec. 62-4 of the Marshall Code of Ordinances, is also attached.</p> <p>All utility companies were contacted regarding the proposed vacation and receipt of requirements, if any, have been incorporated as required.</p>
Fiscal Impact:	Property owner to reimburse the City for all costs associated with the vacation.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	<p>Recommendation No. 1: that the Council close the public hearing.</p> <p>Recommendation No. 2: 2) that the Council adopt RESOLUTION NUMBER 24-034, which is the Resolution Granting a Petition for Vacation of a Utility Easement.</p>

RESOLUTION NUMBER 24-034

**RESOLUTION GRANTING A PETITION FOR
VACATION OF A UTILITY EASEMENT
IN THE CITY OF MARSHALL**

WHEREAS, a petition for vacation of a utility easement has been received from the owners of all the real property that includes the proposed area for utility easement in the City of Marshall, County of Lyon, State of Minnesota, shown on the map in Exhibit A and legally described in Exhibit B, to-wit;

AND WHEREAS, such petition was ordered to be filed for record with the City Administrator and a hearing ordered on such petition;

AND WHEREAS, a public hearing was held on March 26, 2024 before the City Council on such petition after due published and posted notice had been given on March 15, 2024, and all persons interested were given an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

1. The Mayor and City Clerk/Financial Director hereby resolve the granting of the petition for vacation of the utility easements located in the City of Marshall, County of Lyon, State of Minnesota, as legally described above.
2. A copy of this resolution, after the same shall go into effect, duly certified by the City Administrator, shall be filed for record and duly recorded in the office of the Registrar of Deeds in and for Lyon County, Minnesota.

Passed and adopted by the Council this 26th day of March, 2024.

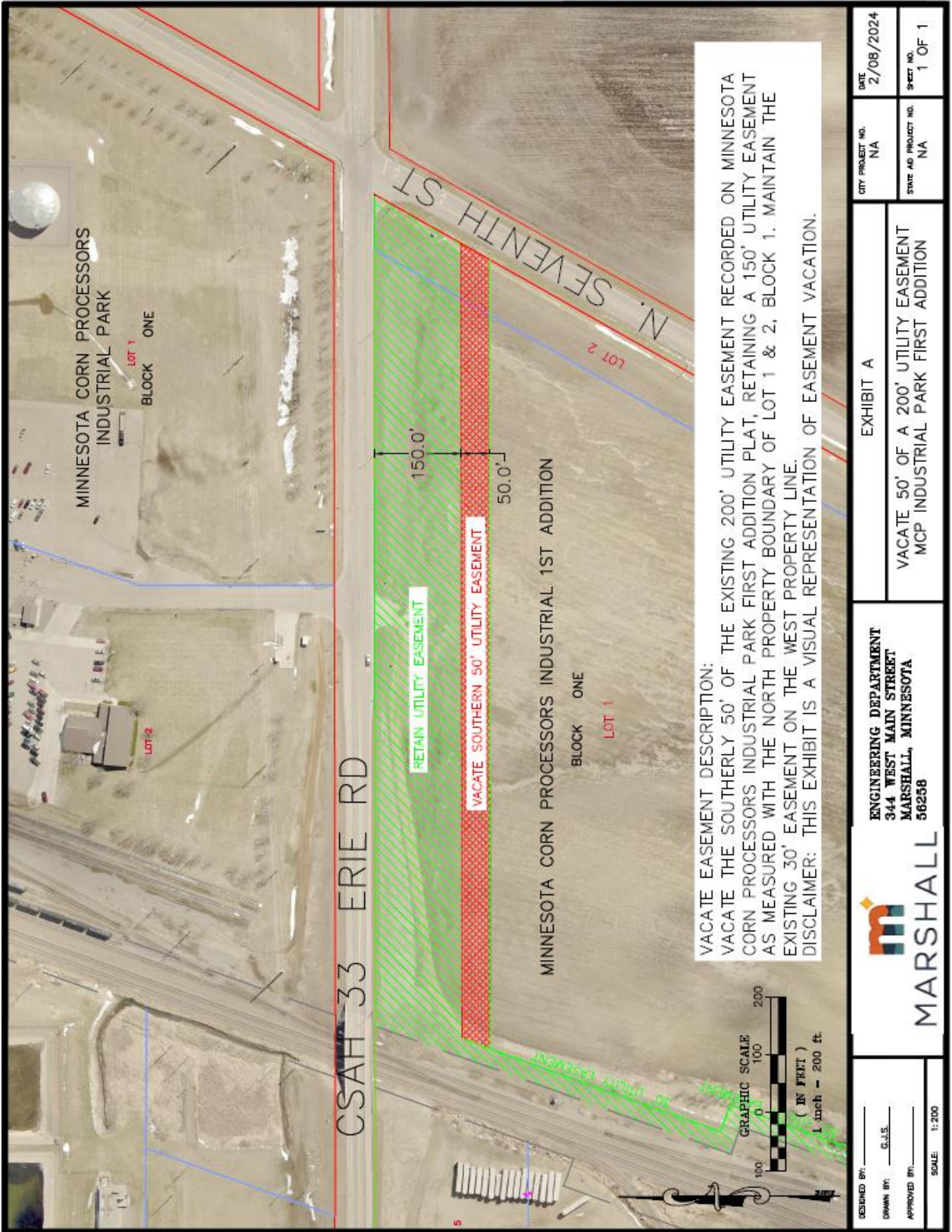
Robert J. Byrnes, Mayor

ATTEST:

City Clerk

This Instrument Drafted by:
Jason R. Anderson, P.E.; Director of Public Works / City Engineer

EXHIBIT A




DESIGNED BY: _____	ENGINEERING DEPARTMENT 344 WEST MAIN STREET MARSHALL, MINNESOTA 56258	CITY PROJECT NO. NA	DATE 2/08/2024
DRAWN BY: G.J.S.	 <p>MARSHALL</p>	EXHIBIT A	STATE AD. PROJECT NO. NA
APPROVED BY: _____		VACATE 50' OF A 200' UTILITY EASEMENT MCP INDUSTRIAL PARK FIRST ADDITION	SHEET NO. 1 OF 1
SCALE: 1"=200'			

EXHIBIT B

The southerly 50 feet of the existing 200-ft utility easement recorded on Minnesota Corn Processors Industrial Park First Addition, Block One, Lot 1 and Lot 2, City of Marshall, County of Lyon, State of Minnesota.