

PETITION FOR VACATION OF UTILITY EASEMENT

Marshall, Minnesota
November 15, 2019

To the City Council of Marshall, Minnesota:

We, the undersigned, owners of all the real property abutting the **property line between Lots 17 and 18 of Block 2, Carr Subdivision I to the city of Marshall** hereby petition that the **five foot (5') utility easement** on each side of said lot line be vacated (except the North 8 feet).

~~It is also petitioned that the vacated _____ be divided among the adjacent property owners equal to footage of the property adjacent to such vacation.~~

	PARCEL #/ ADDRESS	OWNER(S)	OWNER(S) SIGNATURE(S)
1.	27-143026-0	James Carr	X <i>James Carr</i>
2.			
3.			
4.			
5.			

Purpose of Vacation: A condominium is being constructed over the easement.

Application Fee: \$100.00 – I hereby submit this Petition for Vacation. I agree to pay the application fee upon filing. In addition, I understand I will be billed for any direct costs related to this application, which are due and payable regardless of approval or denial by the City Council. These direct costs include, but are not limited to, postage, publication/advertising and recording fees (Per current Resolution of Fees & Rates).

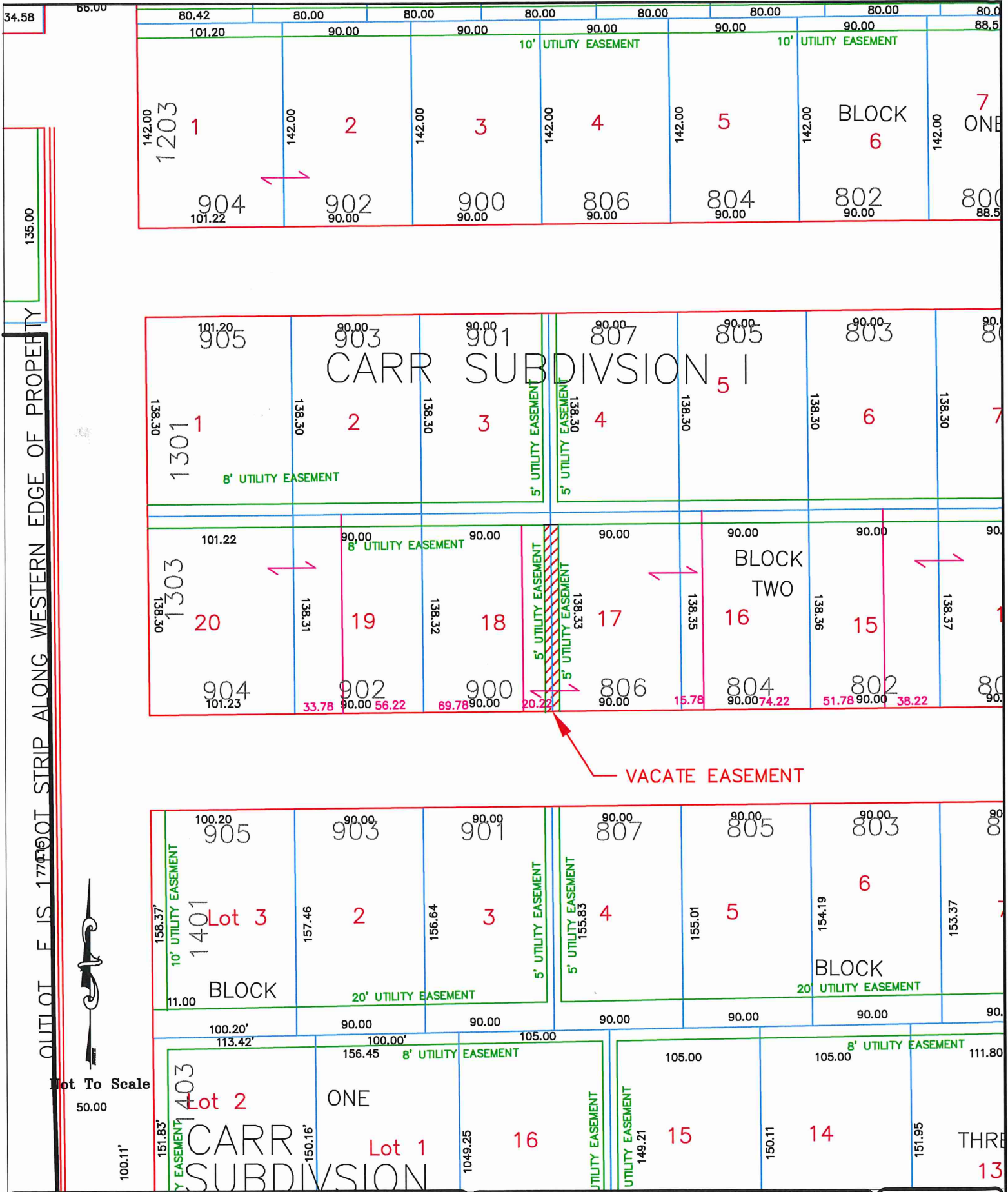
X *James Carr*
Signature – James Carr

James Carr
Printed Name

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

City Clerk

*Pl 100⁰⁰
12-4-2019
#1903225*



CITY ENGINEERS OFFICE
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

Vacate Easement

Exhibit A

DATE
12/09/19

SHEET NO.
1 OF 1

Sec. 62-4. - Vacation of streets, alleys, thoroughfares, public grounds, easements, or any other interest in real estate, or any part.

- (a) No public grounds or streets or other interest in real estate shall be vacated except upon the council's own motion or upon the petition directed to the council of a majority of the owners of property on the line of such property interest residing within the city, and completion of the procedure specified in this section. Such petition shall set forth the reasons for such desired vacation, accompanied by a plat of such property interest proposed to be vacated, and such petition shall be verified by the oath of a majority of the petitioners residing within the city.
- (b) If, in the discretion of the council, it is expedient that the matter be proceeded with, it may order the petition filed for record with the city administrator, order a hearing on such petition and fix the time and place of such hearing.
- (c) The city administrator shall give notice of such hearing by publication once at least ten days in advance of such hearing, and by mail to the last known address of all of the owners of property on the line of such property interest proposed to be vacated at least ten days in advance of such hearing. Such last known addresses shall be obtained from the office of the county auditor. Such notice shall in brief state the object of such hearing; the time, place and purpose of such hearing; and the fact that the council, or a board or commission designated by them shall hear the testimony and examine the evidence of the parties interested.
- (d) The council, after hearing the same, or upon the report of such board or commission designated to hold such hearings, may by resolution, passed by affirmative vote of at least five members, declare such property interest vacated, or deny such petition. The resolution, if granting the petition, shall be certified by the city administrator and shall be filed for record and duly recorded in the office of the registrar of deeds (county recorder) in and for the county.

(Code 1976, § 7.07)