



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Jason Anderson
Meeting Date:	Tuesday, May 13, 2025
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Vacation of Utility Easement in Carr Subdivision I -- 1) Public Hearing on Resolution Granting Petition to Vacate; 2) Consider Resolution Granting Petition to Vacate Utility Easement
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 vacated area.</p> <p>A map of the petitioned vacation area is attached.</p> <p>The purpose of the vacation in Carr Subdivision I is for the replatting of the property (proposed Carr Subdivision IV). The new, Carr Subdivision IV plat will identify a new utility easement to replace this vacated utility easement.</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>Prior to the public hearing and adoption of the resolution granting a petition for vacation, all utility companies were contacted regarding the proposed vacation and receipt of requirements, if any, have been incorporated as required. Marshall Municipal Utilities (MMU) has identified a street light wire that must be relocated due to this vacation. MMU will communicate this need with the property owner.</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: that the Council adopt RESOLUTION 25-041, which is the Resolution Granting a Petition for Vacation of a Utility Easement.</p>

RESOLUTION 25-041

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

WHEREAS, a petition for vacation of 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; legally described in Exhibit A and shown on the map 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 May 13, 2025 before the City Council on such petition after due published and posted notice had been given on May 2, 2025, 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 13th day of May, 2025.

Robert J. Byrnes, Mayor

ATTEST:

City Clerk

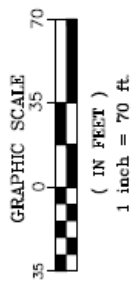
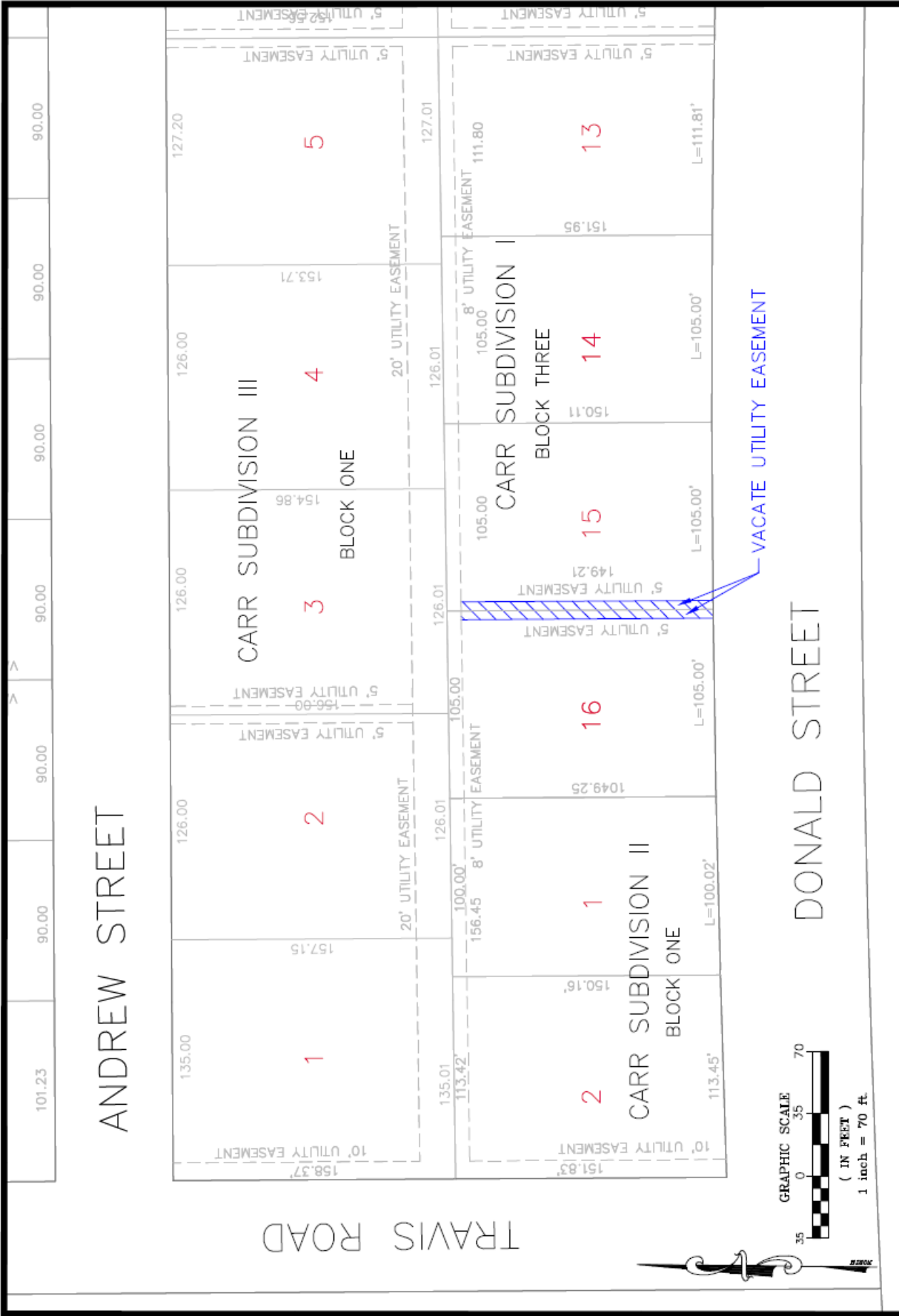
This Instrument Drafted by:
Jason R. Anderson, P.E.; Director of Public Works / City Engineer


EXHIBIT A

The 5-foot utility easement along the easterly lot line of Lot 16 and the 5-foot utility easement along the westerly lot line of Lot 15, Block Three, Carr Subdivision I, City of Marshall, County of Lyon, State of Minnesota, as shown on Exhibit B, in the City of Marshall, as filed and recorded in the Office of the County Recorder in and for Lyon County, Minnesota.

(Between 800-904 Donald Street)

EXHIBIT B



DESIGNED BY: _____	CITY PROJECT NO. NA	DATE 03/13/2025
DRAWN BY: G.J.S.	STATE AID PROJECT NO. NA	SHEET NO. 1 OF 1
APPROVED BY: _____	VACATE EASEMENT / EXHIBIT B	
SCALE 1:70	LOT 15 & 16 BLOCK 3 CARR SUBDIVISION 1	
 CITY ENGINEERS OFFICE 344 WEST MAIN STREET MARSHALL, MINNESOTA 56258 MARSHALL		