

RESOLUTION 25-076

**RESOLUTION GRANTING PETITION VACATING
A PORTION OF CERTAIN UNUSED RIGHT-OF-WAY
KNOWN AS PLEASANT STREET**

WHEREAS, the Common Council of the City of Marshall (“City Council”), pursuant to Section 62-4 of City Code and Minnesota Statutes §§ 410.33 and 412.851, desires to consider the vacation of an unused portion of right-of-way along Pleasant Street; and

WHEREAS, Pleasant Street was originally dedicated in the 1900 plat of Eastman’s Addition, Marshall, Minnesota, attached hereto as Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 28th day of October, 2025; and

WHEREAS, the Common Council in its discretion has determined that the vacation will benefit the public interest because the portion of the right-of-way to be vacated is not needed for current or future right-of-way purposes; and

WHEREAS, the right-of-way terminates at or abuts upon public water; and

WHEREAS, pursuant to Minnesota Statute § 412.851, written notice of the petition or the resolution must be served by certified mail upon the commissioner of natural resources at least 60 days before the hearing on the matter; and

WHEREAS, said written notice to the commissioner of natural resources was sent via certified mail on the 28th day of August, 2025.

WHEREAS, a written response was received by the office of the commissioner of natural resources via electronic mail on the 21st day of October, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Marshall, that:

1. The Right-of-Way Property as shown on Exhibit B and legally described on Exhibit C is hereby vacated.
2. The City Clerk is hereby authorized and directed to prepare and present to the Lyon County Auditor a notice of completion of vacation proceedings pursuant to Minnesota Statutes, for entry in the transfer records and recording with the Lyon County Recorder.

Approved by the Common Council of the City of Marshall, Minnesota this 28th day of October, 2025.

City of Marshall, Minnesota

Robert J. Byrnes, Mayor

ATTEST:

Steven Anderson, City Clerk

EXHIBIT A
Eastman's Addition

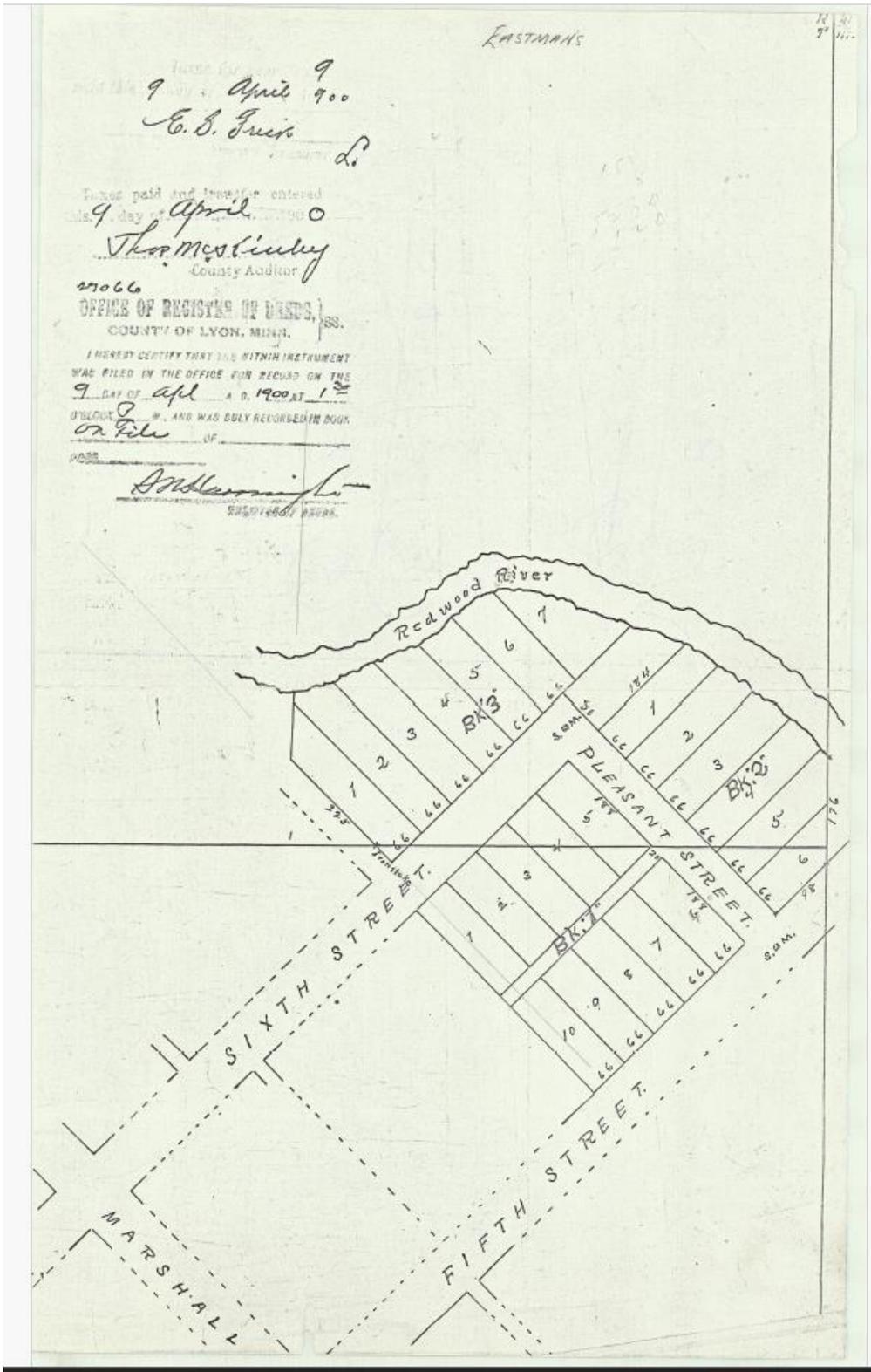


EXHIBIT B
Survey of Pleasant Street

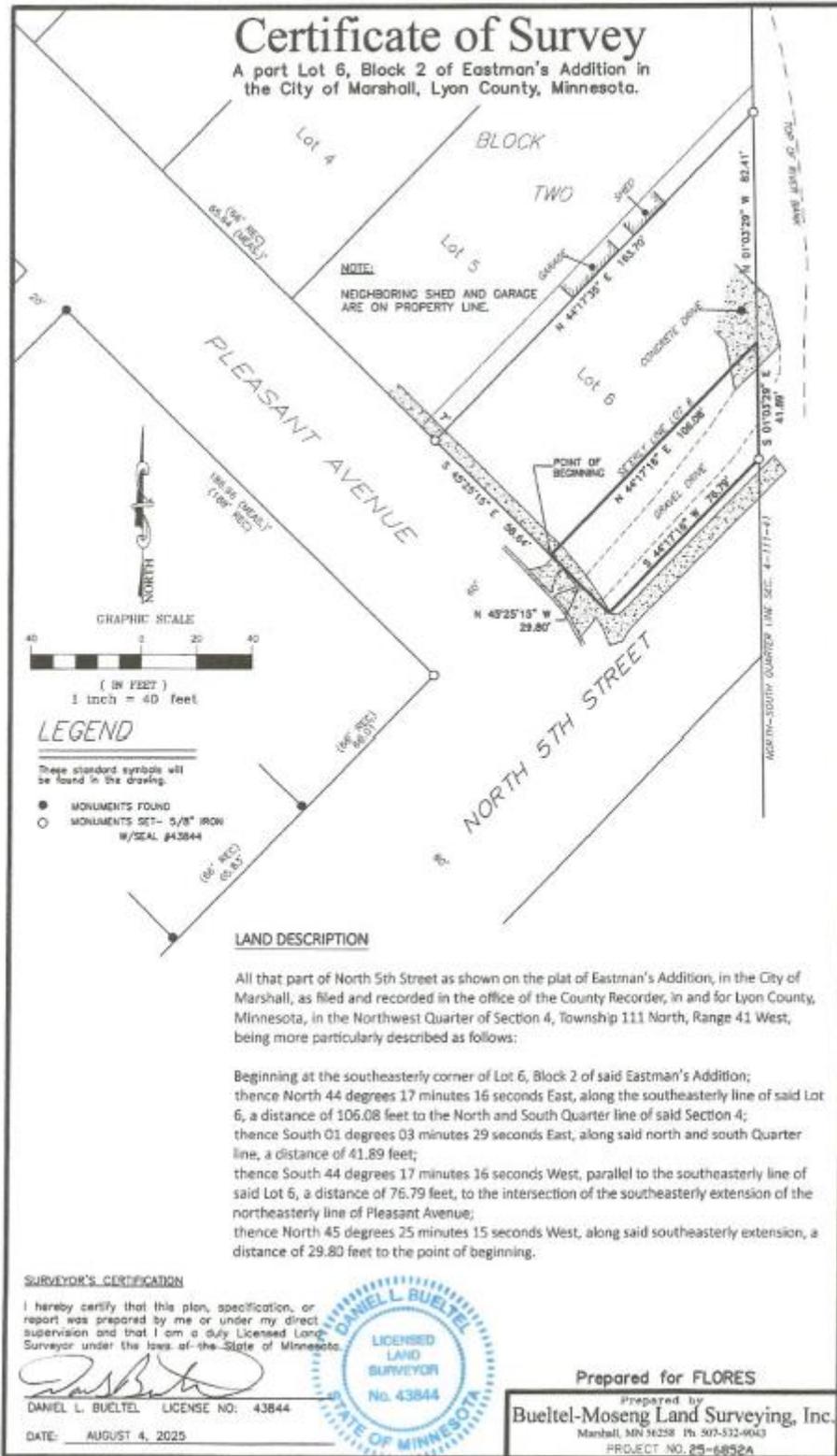


EXHIBIT C

Legal Description of Right-of-Way to be Vacated

All that part of North 5th Street as shown on the plat of Eastman's Addition, in the City of Marshall, as filed and recorded in the office of the County Recorder, in and for Lyon County, Minnesota, in the Northwest Quarter of Section 4, Township 111 North, Range 41 West, being more particularly described as follows:

Beginning at the southeasterly corner of Lot 6, Block 2 of said Eastman's Addition; thence North 44 degrees 17 minutes 16 seconds East, along the southeasterly line of said Lot 6, a distance of 106.08 feet to the North and South Quarter line of said Section 4; thence South 01 degrees 03 minutes 29 seconds East, along said north and south Quarter line, a distance of 41.89 feet; thence South 44 degrees 17 minutes 16 seconds West, parallel to the southeasterly line of said Lot 6, a distance of 76.79 feet, to the intersection of the southeasterly extension of the northeasterly line of Pleasant Avenue; thence North 45 degrees 25 minutes 15 seconds West, along said southeasterly extension, a distance of 29.80 feet to the point of beginning.