



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, October 12, 2021
<b>Category:</b>	PUBLIC HEARING
<b>Type:</b>	ACTION
<b>Subject:</b>	Mosch Addition – 1) Public Hearing on Preliminary Plat; 2) Approval of Preliminary Plat; 3) Consider Resolution Adopting the Final Plat.
<b>Background Information:</b>	<p>Attached please find a copy of the preliminary plat of Mosch Addition.</p> <p>This property is listed for sale by owner Sandra Mosch. To help facilitate a property sale, the owner wishes to move an existing lot line to better reflect intended parcel locations.</p> <p>City Ordinance Sec. 66-31 Plat required states, “Whenever any subdivision of land is proposed, before any contract is made for the transfer of any part of such land, and before any permit for the erection of any structure in such proposed subdivision shall be granted, the subdivider, owner or an authorized agent shall apply for and secure approval of such proposed subdivision plat in accordance with the procedures set forth in this chapter.”</p> <p>As defined by Sec. 66-1 Definitions, <i>subdivision</i> means the division of any parcel of land thereto shown as a unit or as contiguous units of record to which this chapter is applicable for the purpose of transfer of ownership or building development, whether future or immediate, or any division of land involving a new street or road regardless of parcel size or the number of parcels.</p> <p>Because the land requested to be subdivided is not currently platted, City staff has requested that the property owner plat the property.</p> <p>Also attached is the Engineer’s Report of Preliminary Plat Review. Copies of the proposed subdivision have been sent to the local utility companies for their review and comments.</p> <p>The preliminary plat was presented at the Planning Commission meeting on September 22, 2021. Following discussion, Muchlinski made a motion, second by Knieff to recommend approval to City Council as requested, subject to review and recommendations of local utility companies. All voted in favor.</p> <p>Attached please find a copy of the Final Plat Checklist for Mosch Addition.</p>
<b>Fiscal Impact:</b>	The applicant will be billed for all direct costs relating to the platting process.
<b>Alternative/ Variations:</b>	No alternative actions recommended.

**Recommendation:**

Recommendation No. 1  
that the Council close the public hearing and approve the Preliminary Plat of Mosch Addition.

Recommendation No. 2  
that the Council adopt RESOLUTION NUMBER 21-079, which is the Resolution Approving the Final Plat of Mosch Addition.

**RESOLUTION NUMBER 21-079**

**RESOLUTION APPROVING THE FINAL PLAT OF MOSCH ADDITION**

WHEREAS, the developer has filed with the Common Council, a Preliminary Plat identified as Mosch Addition situated in the City of Marshall, County of Lyon, State of Minnesota, described as follows, to-wit:

**MOSCH ADDITION  
BLOCK ONE LOTS 1-2**

more particularly described as attached Exhibit A.

WHEREAS, the Final Plat of Mosch Addition was presented to the Common Council on October 12, 2021.

NOW THEREFORE BE IT RESOLVED, that said Final Plat of Mosch Addition has been duly found to be in conformity with Chapter 66 of the Code of Ordinances and State Statutes.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Common Council hereby authorizes and directs the City Clerk to certify his approval on the plat.

NOW THEREFORE BE IT FURTHER RESOLVED THAT this resolution shall become void 90 days after adoption and fulfillment of all contingencies of approval, if any, unless the plat is filed for record within such time.

Passed and adopted by the Common Council this 12<sup>th</sup> day of October, 2021.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor of the City of Marshall, MN

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

## EXHIBIT A

All that part of the Southwest Quarter of Section 33, Township 112 North, Range 41 West, City of Marshall, Lyon County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 02 minutes 55 seconds West, bearing based on Lyon County Coordinate System (1996 Adj.), along the west line of said Southwest Quarter, a distance of 1045.70 feet to the point of beginning; thence North 89 degrees 57 minutes 05 seconds East a distance of 713.90 feet; thence North 19 degrees 46 minutes 12 seconds East, parallel with the center line of the Willmar and Sioux Falls Railroad (now Burlington Northern Santa Fe Railroad), a distance of 10.00 feet; thence North 89 degrees 19 minutes 09 seconds East a distance of 511.49 feet to the westerly right of way line of said railroad, said point hereafter known as Point "A"; thence beginning again at said point of beginning; thence North 00 degrees 02 minutes 55 seconds West, along the west line of said Southwest Quarter; a distance of 369.60 feet; North 89 degrees 57 minutes 05 seconds East, at right angles to said west line, a distance of 1356.52 feet, to the westerly right of way line of said railroad; thence South 19 degrees 46 minutes 12 seconds West, along said westerly right of way line, a distance of 511.49 to said Point "A", said description there terminating.

EXCEPTING THEREFROM the right of way of U.S. Trunk Highway No. 59.