

RESOLUTION NUMBER _____, SECOND SERIES

RESOLUTION ACCEPTING THE SURRENDER OF A CONDITIONAL USE PERMIT

WHEREAS, Worthington Real Estate, LLC, a Minnesota Limited Liability Company, owner of property located at 1651 and 1661 East College Drive Marshall, Minnesota, has requested that the City of Marshall accept the surrender of a Conditional Use Permit previously dated July 20, 1987, which Conditional Use Permit authorized the operation of an Adult Daytime Development Activity Center located at said property; and

WHEREAS, said Conditional Use Permit was filed in the office of the Lyon County Recorder on July 29, 1987 and is recorded in Book 60 of Miscellaneous, Page 144; and

WHEREAS, the legal description of the property, to which said Conditional Use Permit applies is now platted as:

Lot 1, Lot 2 and Lot 3, Block 1, Tiger Park Fourth Addition to the City of Marshall, Lyon County, Minnesota; and

WHEREAS, said property owner has filed a petition with the City of Marshall asking that said Conditional Use Permit be surrendered so as to cause a termination of said Conditional use Permit; and

WHEREAS, a copy of said Petition from property owners is marked as Exhibit A and is attached hereto and made apart hereof; and

WHEREAS, Minnesota Statutes allow a municipality to enact or amend official controls to change the status of conditional uses on said property.

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

1. That the Conditional Use Permit dated July 20, 1987 authorizing the operation of an Adult Day Time Development Activity Center as a conforming use, filed July 29, 1987 in the office of the Lyon County Recorder and recorded in Book 60 of Miscellaneous, Page 144, is hereby surrendered and terminated.

Passed and adopted by the Common Council this 8th day of September, 2020.

CITY OF MARSHALL

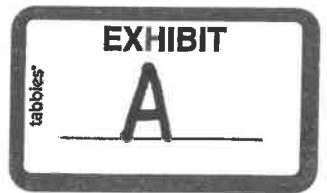
By: Robert J. Byrnes
Its: Mayor

ATTEST:

By: Kyle Box
Its: City Clerk

THIS INSTRUMENT WAS DRAFTED BY:

QUARNSTROM & DOERING, P.A.
MARSHALL CITY ATTORNEY
By: Dennis H. Simpson
109 South Fourth Street
Marshall, MN 56258
(507) 537-1441



PETITION TO SURRENDER CONDITIONAL USE PERMIT

STATE OF MINNESOTA

COUNTY OF CHIPPEWA

Petitioner Robert A. Kruse, as managing member of Worthington Real Estate, LLC., A Minnesota Limited Liability Company, being first duly sworn on oath, deposes and states as follows:

1. That Worthington Real Estate, LLC. is the fee owner of property in Marshall Minnesota, with street address at 1651 and 1661 East College Drive, Marshall, Minnesota, legal description of Lot 1, Lot 2 and Lot 3, Block 1, Tiger Park Fourth Addition to the City of Marshall, Lyon County, Minnesota; and
2. That Worthington Real Estate, LLC. acquired said premises subject to the terms and conditions of a Conditional Use Permit issued by the City of Marshall, Minnesota dated July 20, 1987 which Conditional Use Permit was filed in the office of the Lyon County Recorder on July 29, 1987 and recorded in Book 60 of Miscellaneous, page 144; and

Whereas, the Conditional Use Permit allowed for the location and operation of an Adult Daytime Developmental Achievement Center to be located on the property as described therein; and

Whereas, Worthington Real Estate, LLC. does not now and does not ever intend to use the above described property for an Adult Daytime Developmental Achievement Center; and

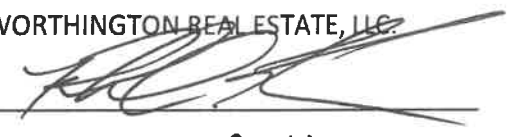
Whereas, Worthington Real Estate, LLC. hereby requests that the terms and conditions of said Conditional Use Permit be surrendered voluntarily by said property owners and further, your petitioner hereby asks that the City of Marshall accept this petition so as to terminate the terms and conditions of the Conditional Use Permit as referenced herein; and

Whereas, your petitioner requests that the City Council for the City of Marshall pass a resolution accepting this surrender of Conditional Use Permit and provide such resolution in a form that can be recorded in the office of the Lyon County Recorder so as to surrender and terminate said Conditional Use Permit.

FURTHER YOUR PETITIONER SAYETH NOT

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WORTHINGTON REAL ESTATE, LLC.

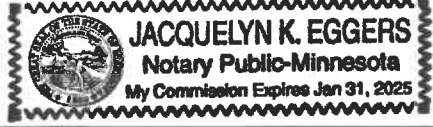


By: Robert A. Kruse
Its: Managing Member

STATE OF MINNESOTA)
)ss.
COUNTY OF CHIPPEWA)

The foregoing instrument was acknowledged before me this 27th day of Aug, 2020, by Robert A. Kruse, the Managing Member of Worthington Real Estate, LLC, a Minnesota Limited Liability Company.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



JACQUELYN K. EGGERS
Notary Public-Minnesota
My Commission Expires Jan 31, 2025



SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT