

## City of Maple Plain

### Request for Vacation of Drainage and Utility Easements Associated with the Replatting of the Gateway Properties to Allow the Kwik Trip Development and the Development Agreement Covering the Development of the Improvements

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<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	May 27, 2025
<i>Applicant:</i>	Emily Helwig
<i>Owner:</i>	Kwik Trip, Inc.
<i>Location:</i>	Gateway Blvd. (PID No. 25-118-24-11-0040)

***Request:***

Emily Helwig (Applicant) and Kwik Trip, Inc. (Owner) request that the City consider the following actions for the property located between Gateway Blvd. and Highway 12 without an address (PID No. 25-118-24-11-0040):

- a. Vacation for that portion of the drainage and utility easements.

***Property/Site Information:***

The property is located along the south north of State Highway 12 between CSAH 29 and Howard Ave. and just south of Gateway Blvd. The subject property is located within the Mixed Use – Gateway District.

Property Information: PID No. 25-118-24-11-0040

Zoning: *Mixed Use - Gateway*

Comprehensive Plan: *Mixed-Use*

Acreage: ±2.6 Acres

*Aerial Photograph*



***Discussion:***

The applicant received city approval for preliminary and final plat associated with the development of a convenience store, fuel station, car wash and associated site improvements. It was noted during the approval that there were existing drainage and utility easements that were in place prior to the approval that will need to be vacated in order to record the new plat. The drainage and utility easements will be replaced with new easements as shown on the approved plat. The existing easements to be vacated will no longer be needed by the city.

In addition to easement vacation, the city attorney has prepared a Development Agreement which provides for payment of all applicable city fees, platting and site improvements. The Development Agreement is a standard agreement used by the city for projects that require replating and or installation of public improvements.

***Recommendation:***

City Council is being asked to consider approval of the following:

1. Resolution – Approving the vacation of the drainage and utility easements legally described as follows:

DRAINAGE AND UTILITY EASEMENT  
VACATION DESCRIPTION:

All of the drainage and utility easements  
lying over, under, and across Outlot A,  
as created and dedicated in the plat of  
GATEWAY OF MAPLE PLAIN, Hennepin  
County, Minnesota

2. Approval of the Development Agreement and authorization for Mayor and City Administrator to execute the agreement on behalf of the city.

***Attachments:***

1. RESOLUTION Approving Drainage and Utility Easements
2. Application
3. Survey Exhibit
4. Development Agreement

**CITY OF MAPLE PLAIN  
COUNTY OF HENNPIN  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-0527-01**

**A RESOLUTION APPROVING THE REQUEST BY KWIK TRIP, INC. TO VACATE  
THOSE DRAINAGE AND UTILITY EASEMENTS LEGALLY DESCRIBED AND  
EXISTING ON THE PROPERTY IDENTIFIED AS PID No. 25-118-24-11-0040**

WHEREAS, the described drainage and utility easements no longer serve the public interest and potentially interfere with the property lines that were re-platted; and

WHEREAS, pursuant to Minnesota Statute §412.851, the City Council can vacate the drainage and utility easements across the property legally described as:

**DRAINAGE AND UTILITY EASEMENT  
VACATION DESCRIPTION:**

All of the drainage and utility easements  
lying over, under, and across Outlot A,  
as created and dedicated in the plat of  
GATEWAY OF MAPLE PLAIN, Hennepin  
County, Minnesota

WHEREAS, the City reviewed the easements and found that there is no longer a public need for the easements to be vacated and the city replaced the easements with new drainage and utility easements when the property was re-platted; and

WHEREAS, a public hearing to consider the vacation of such drainage and utility easement was held on the 27<sup>th</sup> day of May, 2025, before the Maple Plain City Council after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLE PLAIN, COUNTY OF HENNEPIN MINNESOTA, that the vacation of the described drainage and utility easements is hereby granted and described as follows is hereby vacated:

Easements to be Vacated

DRAINAGE AND UTILITY EASEMENT  
VACATION DESCRIPTION:

All of the drainage and utility easements  
lying over, under, and across Outlot A,  
as created and dedicated in the plat of  
GATEWAY OF MAPLE PLAIN, Hennepin  
County, Minnesota

BE IT FURTHER RESOLVED, that the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

This resolution was adopted by the city council of the City of Maple Plain on this 27<sup>th</sup> day of May 2025, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

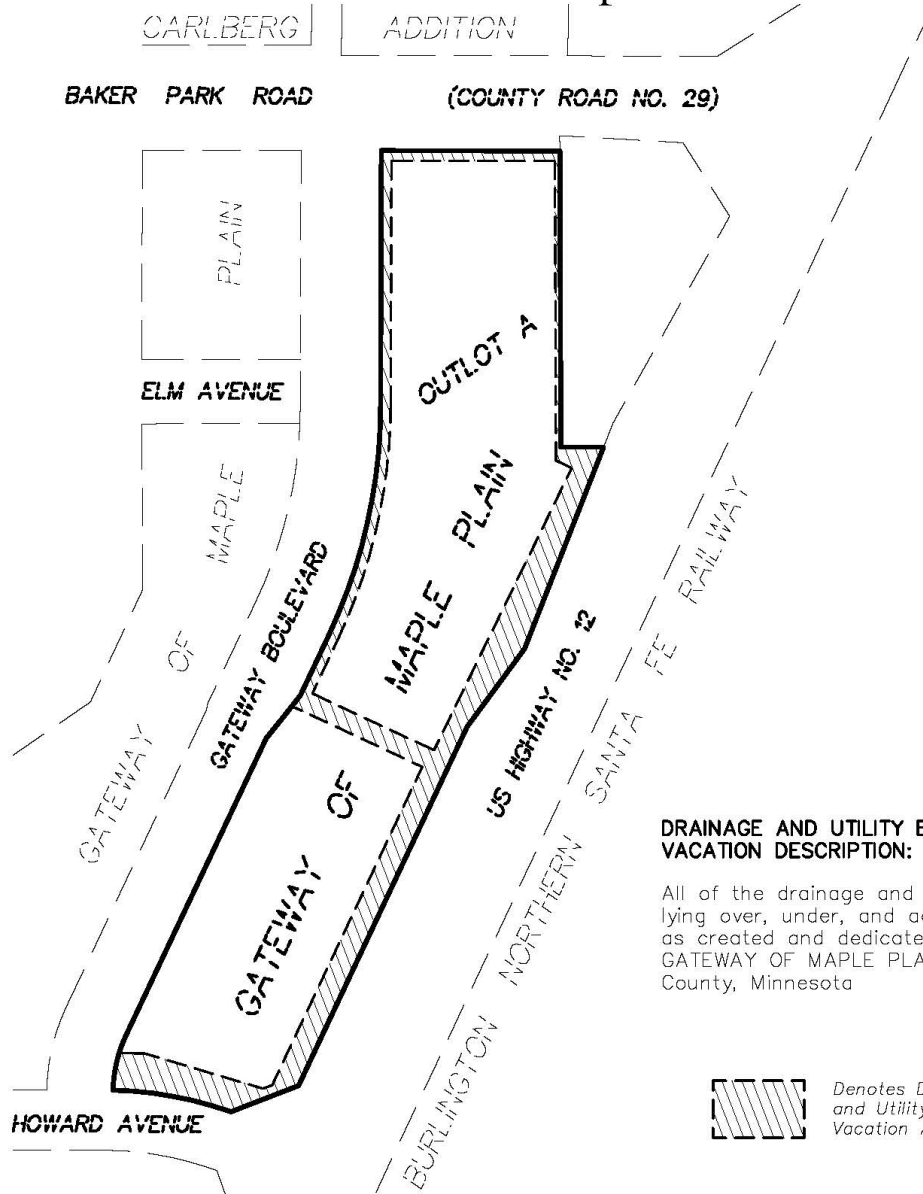
\_\_\_\_\_  
Julie Mass-Kusske, Mayor

ATTEST:

\_\_\_\_\_  
Jacob Kolander, City Administrator

**EXHIBIT A**  
(Easement Exhibit)

# Drainage and Utility Easement Vacation Description Sketch



## DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION:

All of the drainage and utility easements lying over, under, and across Outlot A, as created and dedicated in the plat of GATEWAY OF MAPLE PLAIN, Hennepin County, Minnesota



Denotes Drainage and Utility Easement Vacation Area



**CARLSON  
McCAIN**

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