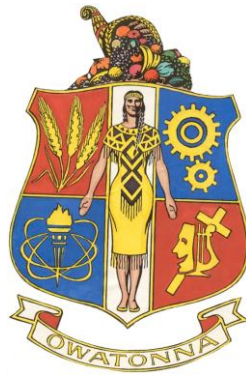


THE CITY OF



OWATONNA

Greg Kruschke
Community Development Manager

540 West Hills Circle
Owatonna, MN 55060-4794
Ph. (507) 774-7317
FAX: (507) 444-4394
Email: Greg.Kruschke@ci.owatonna.mn.us

DATE: April 11, 2018
TO: Mayor and City Council
FROM: Community Development Dept. – Greg Kruschke
SUBJECT: Romnes Easement Vacation – 222 State Avenue

Purpose:

Approve second reading Proposed Ordinance 4-18 vacating a portion of a utility easement in 222 State Avenue

Background:

See attached staff report. Council approved the first reading of this proposed ordinance during their meeting on March 20, 2018.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of the second reading of this ordinance vacating a portion of a utility easement at 222 State Avenue.

AN ORDINANCE PURSUANT TO SECTION 6.2 OF THE HOME RULE CHARTER OF THE CITY OF OWATONNA, AND SECTION 94.020 OF THE 2015 ORDINANCE CODE OF THE CITY OF OWATONNA, VACATING A STREET, ALLEY, OR PUBLIC RIGHT-OF-WAY, OR ANY PART THEREOF, HEREIN DESCRIBED, AND PROVIDING FOR ITS RECORDING.

WHEREAS, there has been filed with the City Council a petition to vacate the premises hereinafter described; and

WHEREAS, a public hearing was held on March 13, 2018, on the said petition and after public notice was given, pursuant to Section 6.2 of the Home Rule Charter; and

WHEREAS, the proposed vacation does not destroy or interfere with the rights of any person, corporation, or municipality; and

WHEREAS, the City finds that the premises hereinafter described are no longer required for municipal purposes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OWATONNA DO ORDAIN:

SECTION 1. That the following described portion of utility easement:

All utility easements in Lot 33, Block 1, VICTORY VILLAGE PARK ADDITION, as dedicated and recorded in the Office of the Steele County Recorder, Steele County, Minnesota.

may be and hereby is vacated.

SECTION 2. The City Clerk shall cause this Ordinance to be filed for record in the offices of the City Clerk and the City Engineer of the City of Owatonna.

SECTION 3. The City Clerk shall cause an original copy hereof to be filed for record and duly recorded in the office of the Steele County Recorder in and for Steele County, Minnesota.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this _____ day of _____, 2018, with the following vote:

Aye _____; No _____; Absent _____.

Approved and signed this _____ day of _____, 2018

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

March 7, 2018

To: Planning Commission
From: Community Development Department
RE: Request to vacate a portion of a Utility Easement

Application Review:

Applicant: Ron & Laura Romnes
Location of Property: 222 State Avenue
Legal Description: See Attached Survey
Report Attachments:
1. Location Map
2. Vacation Sketch & Description

Proposed Development:

- ◆ The applicants are requesting vacation of a portion of a utility easement located on the property at 222 State Avenue.
- ◆ The applicant is proposing to replat the property. Upon replatting of the property they will be rededicating easements in locations approved by the City and OPU where the facilities are currently located.
- ◆ As of the date of this report, Staff has not been notified of any utilities that are physically located within the easement.
- ◆ The City's Engineering and Stormwater Department have a concern that a portion of this easement may be needed for drainage at some point in the future and are against vacating it in its entirety. They do support vacation of 5' of the easement to keep a clean easement line and removal of the structure from the easement.
- ◆ The following is the new description that is being recommended for the vacation:
 - All utility easements in Lot 33, Block 1, VICTORY VILLAGE PARK ADDITION, as dedicated and recorded in the Office of the Steele County Recorder, Steele County, Minnesota.
- ◆ This will have no effect on the existing street or utilities in the area.

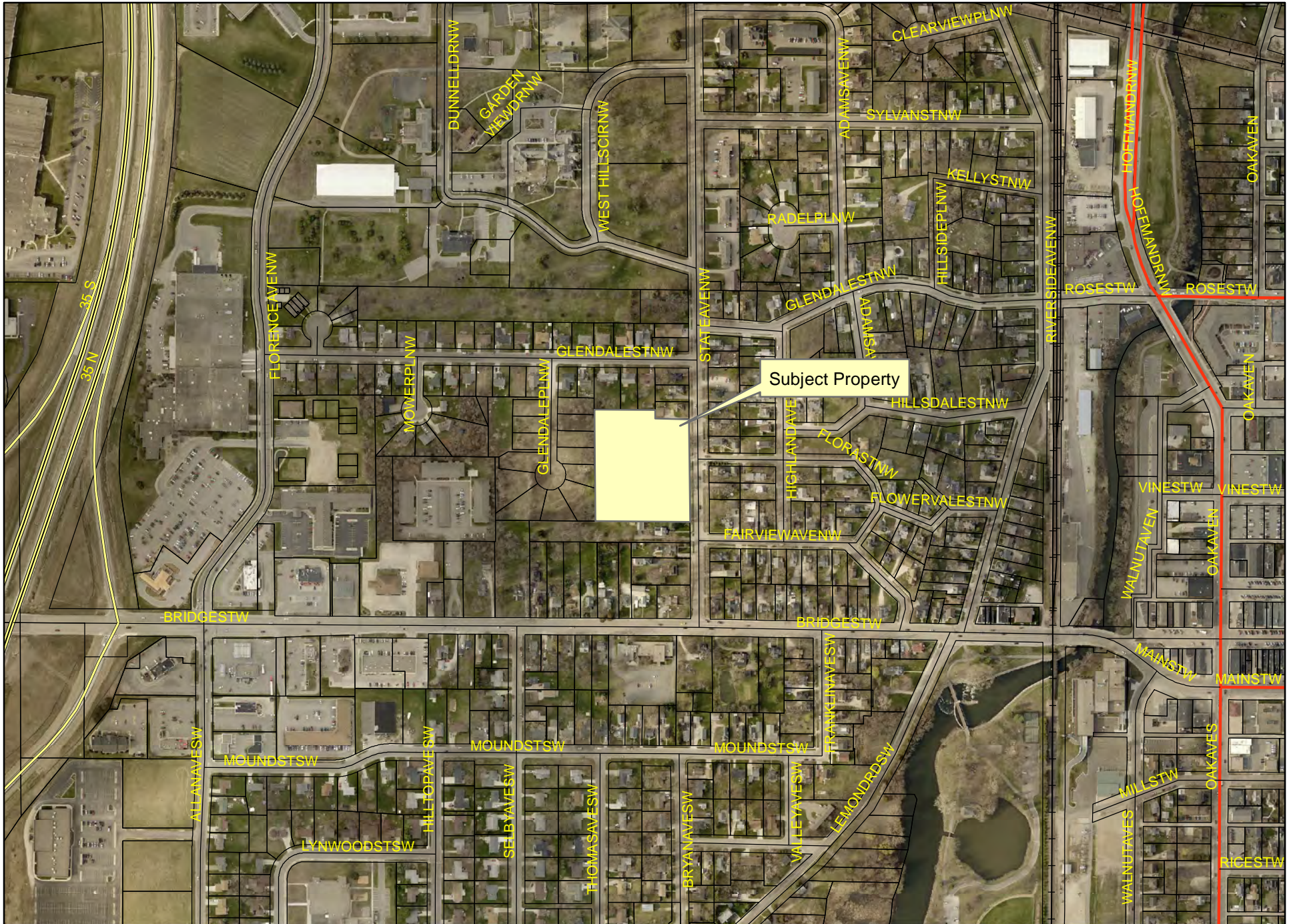
Staff Review:

Staff recommends approval of this vacation of a portion of a utility easement located on the property at 222 State Avenue as described above.

Planning Commission:

A request by Ron and Laura Romnes to vacate a portion of a Utility Easement located at 222 State Avenue was presented by Community Development Manager Kruschke. (Refer to report on file.) Public hearing opened at 5:35 pm. No comments were made regarding this request. Public

hearing closed at 5:36 pm. A motion was made by Linders and seconded by Meier to recommend City Council approval of this vacation of a portion of utility easement located on the property at 222 State Avenue as described in the Staff Report. All Ayes, motion carried.



Lord Manor Addition

1 inch = 500 feet

Date: 2/26/2018



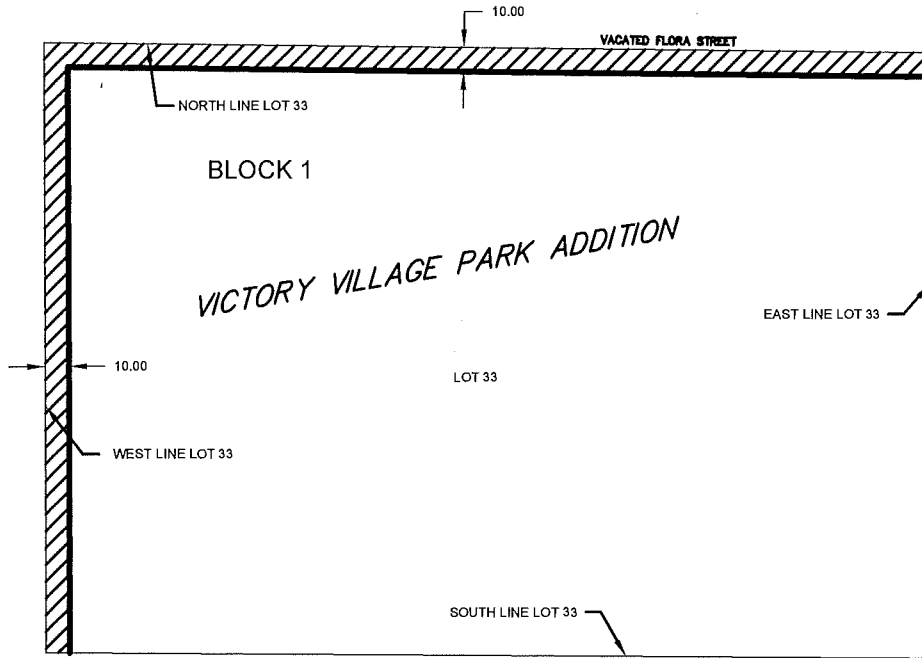
Lord Manor Addition

1 inch = 100 feet

Date: 2/26/2018

EASEMENT VACATION

LOT 33, BLOCK 1, VICTORY VILLAGE PARK ADDITION
OWATONNA, STEELE COUNTY, MINNESOTA



SCALE: 1" = 80'

STREET ADDRESS

222 STATE AVE
OWATONNA, MN 55060

PARCEL ID #

17-507-0133

PREPARED EASEMENT VACATION DESCRIPTION

All utility easements in Lot 33, Block 1, VICTORY VILLAGE PARK ADDITION, as dedicated and recorded in the Office of the Steele County Recorder, Steele County, Minnesota.

FOR: RON ROMNES

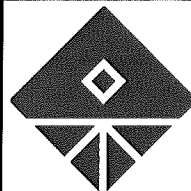
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date: 02/20/2018 Revised date:-
 Drawn by: SAT Survey:
 Field Book:- Page 1 of 1
 Coord-System: RECORD PLAT
 Job No: 18-1014 File: 1507

Scott A. Tuchtenhagen
 Date: 2/22/19

L.S. No. 52646

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