

**RESOLUTION NO. 011116-01
CITY OF WAITE PARK**

**RESOLUTION APPROVING VACATION OF EASEMENTS ON THE KWIK TRIP SOUTH
PROPERTY**

WHEREAS, Kwik Trip, Inc., Daniel J. Beumer & Monica A. Beumer, and Allen McSherry, property owners, have petitioned that the following described drainage and utility easements be vacated and discontinued:

A 15-foot drainage and utility easement over, under and across the southerly 10.00 feet of the tract described in Doc. No. 1008192, as recorded in the Office of the County Recorder, Stearns County, Minnesota,, which lies parallel, contiguous and 10.00 feet northerly of the former southerly right-of-way of east bound Trunk Highway No. 23;

AND

A 10-foot by 20-foot utility easement over, under and across the tract described in Doc. No. 1008192, as recorded in the Office of the County Recorder, Stearns County, Minnesota. Said easement lies parallel, contiguous and 20.00 feet southerly of the northerly line of vacation described in said Doc. No. 1008192; the west line of said easement lies 47.51 feet east of the northwest corner of said vacation;

AND

A 10-foot drainage and utility easement over, under, and across the southerly 10.00 feet of the tract described in Doc. No. 862096, as recorded in the Office of the County Recorder, Stearns County, Minnesota which lies parallel, contiguous and 10.00 feet northerly of the former southerly right-of-way line of eastbound Trunk Highway No. 23;

AND

A triangular utility easement over, under, and across the tract described in Doc. No. 862096, as recorded in the Office of the County Recorder, Stearns County, Minnesota, said easement lies westerly of a line drawn from a point that bears North 89 degrees 58 minutes 21 seconds East distant 28.00 feet from the point of beginning of the described vacation tract per Doc. No. 862096 to the point of intersection of the easterly right-of-way of Tenth Avenue South and the southerly right-of-way line of said eastbound Trunk Highway No. 23.

WHEREAS, the request has been reviewed by City of Waite Park staff and a report pertaining to said request has been presented to the City Council; and

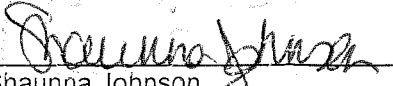
WHEREAS, the City Council of the City of Waite Park, on the 11th day of January, 2016, following proper notice, held a public hearing regarding the request and, following said public hearing, adopted a recommendation that the vacation request be approved; and


WHEREAS, based upon said report and recommendation, the City Council of Waite Park hereby finds that the subject easements are no longer needed for utility or drainage purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Waite Park, that the above- described easements are vacated and discontinued.

This resolution shall become effective immediately upon its passage and without publication.

Adopted by the Council this 11th day of January, 2016.


Shaunna Johnson
City Administrator-Clerk-Treasurer


Richard E. Miller
Mayor

ACTION ON THIS RESOLUTION:

Motion for adoption: Member Theisen

Seconded by: Member Linquist

Voted in favor of: Mayor Miller, Members Linquist, Schneider, Schulz, Theisen

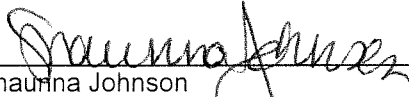
Voted against: None

Abstained: None

Absent: None

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Waite Park City Council at a duly authorized meeting held on 1/11/16.


Shaunna Johnson
City Administrator-Clerk-Treasurer