

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 19-03

**AN ORDINANCE VACATING PUBLIC STORM SEWER EASEMENT
LOCATED WITHIN THE CITY OF WEST ST. PAUL, MINNESOTA**

The City Council of West St. Paul does ordain:

SECTION 1. Pursuant to West St. Paul City Code § 95.55 and Minn. Stat. § 412.851, on its own motion, with a vote of four of its members, the City Council may vacate any street, alley, public grounds, public way or any part thereof within the City by Ordinance; and

WHEREAS, the City of West St. Paul wishes to vacate the public storm sewer easement over property at 150 Thompson Avenue East, West St. Paul, Minnesota 55118, which is legally described and depicted on the attached Exhibit A; and

WHEREAS, a notice of a public hearing on said vacation was duly published and posted in accordance with applicable Minnesota Statutes and a public hearing was held on said vacation at the City of West St. Paul, 1616 Humboldt Avenue, West St. Paul, Minnesota; and

WHEREAS, the City Council of West St. Paul then proceeded to hear all persons interested in said vacation and all persons interested were afforded an opportunity to present their views and objections to the granting of said vacation; and

WHEREAS, the City Council of West St. Paul has determined that the vacation would be in the public interest.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of West St. Paul:

1. That the City of West St. Paul, pursuant to West St. Paul City Code § 95.55 and Minn. Stat. § 412.851, hereby vacates the public storm sewer easement situated in the City of West St. Paul, County of Dakota, State of Minnesota, legally described and depicted on the attached Exhibit A.
2. That said vacation has no relationship to the City's Comprehensive Plan and therefore the West St. Paul City Council has dispensed with the requirements of Minn. Stat. § 462.356, Subd. 2, that may require the West St. Paul Planning Commission to perform a Comprehensive Plan compliance review of said vacation that may constitute a disposal of real property pursuant to § 462.356, Subd. 2.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The City of West St. Paul is vacating a storm sewer easement across 150 Thompson Avenue East, West St. Paul, Minnesota 55118.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this 25th day of March 2019.

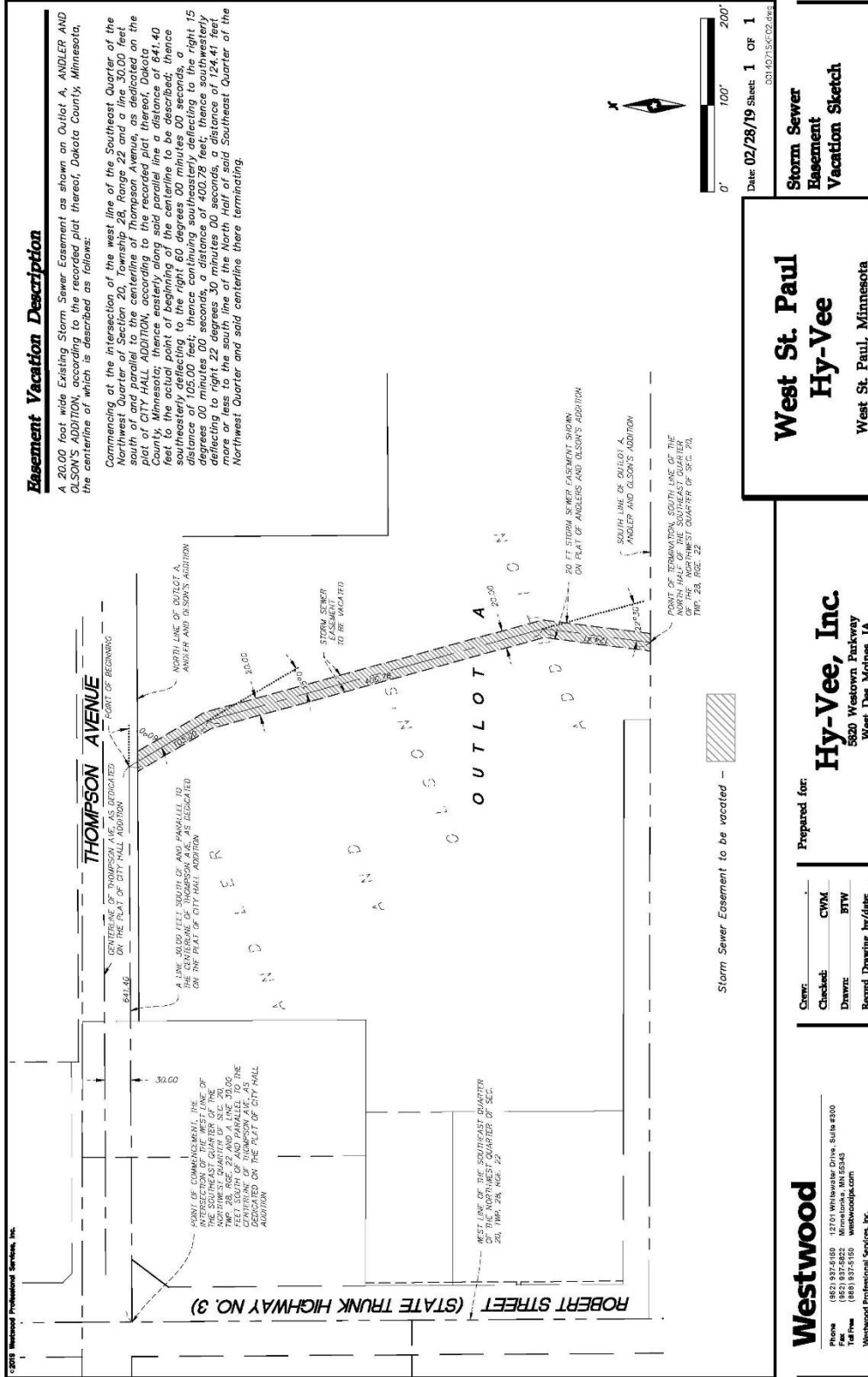
Attest:

David J. Napier, Mayor

Shirley R Buecksler, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION AND DEPICTION OF
 EASEMENT TO BE VACATED**



Easement Vacation Description

A 20.00 foot wide Existing Storm Sewer Easement as shown on Outlot A, ANDLER AND OLSON'S ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, the centerline of which is described as follows:

Commencing at the intersection of the west line of the Southeast Quarter of the Northwest Quarter of Section 20, Township 28, Range 22 and a line 30.00 feet south of and parallel to the centerline of Thompson Avenue, as dedicated on the plat of CITY HALL ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, thence easterly along said parallel line a distance of 64.40 feet to the centerline of Thompson Avenue, thence southeasterly along said parallel line a distance of 105.00 feet; thence continuing southeasterly deflecting to the right 15 degrees 00 minutes 00 seconds, a distance of 400.78 feet; thence southwesterly deflecting to right 22 degrees 30 minutes 00 seconds, a distance of 124.41 feet more or less to the south line of the North Half of said Southeast Quarter of the Northwest Quarter and said centerline there terminating.

**West St. Paul
 Hy-Vee**
 West St. Paul, Minnesota

Hy-Vee, Inc.
 5800 Westown Parkway
 West Des Moines, IA

Prepared for:

Client: **CYRM**
 Checked: **BTW**
 Drawn: **BTW**
 Record Drawing by/date:

Westwood
 Phone (862) 937-6169 1271 Whitestar Drive, Suite 4300
 Fax (862) 937-6922 Minneapolis, MN 55434
 Email westwood@westwood.com
 Westwood Professional Services, Inc.

Date: 02/28/19 Sheet: 1 OF 1
 301-0215-C02.dwg

**Storm Sewer
 Easement
 Vacation Sketch**



Storm Sewer Easement to be vacated