

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

ORDINANCE NO. _____

**AN ORDINANCE VACATING UNBUILT ROADWAY BETWEEN LOT 8 BLOCK 1
AND LOT 1 BLOCK 2, A.E. REHNBERG'S SOUTHVIEW ADDITION BY
ORDINANCE PURSUANT TO CITY CODE**

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 petition of a majority of abetting landowners, 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 received a petition from landowners requesting the City vacate all of the unbuilt public roadway, dedicated in A.E. Rehnberg's Southview Addition lying between Lot 8, Block 1 and Lot 1, Block 2; and

WHEREAS, pursuant to Minnesota Statutes § 412.851 and City Code Section 95.55, the City of West St. Paul held a public hearing on August 31, 2020 the proposed vacation of such portion of street legally described as follows:

All of the public roadway, as delineated in dedicated, in "A.E. Rehnberg's Southview Addition", according to the recorded plat thereof, Dakota County, Minnesota, lying between Lot 8, Block 1 and Lot 1, Block 2 in said plat; lying southerly of Marie Avenue (now vacated), as delineated and dedicated, in said plat; and lying northerly of a line drawn from the southerly southwest corner of said Lot 8, Block 1 to the southerly southeast corner of said Lot 1, Block 2 of said plat; and

WHEREAS, the City Council has determined that the vacation would be in the public intent.

NOW THEREFORE THE CITY OF WEST ST. PAUL DOES ORDAIN:

1. That pursuant to Minnesota Statutes § 412.851 and City Code Section 95.55, the City of West St. Paul hereby vacates the public street situated in the City of West St. Paul, County of Dakota, State of Minnesota legally described and depicted on attached Exhibit A.
2. That the 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.

3. That the City specifically reserves the right and authority of any utility company or corporation using or controlling electric or telephone poles, lines or gas thereon or thereunder, to continue maintaining the same and to enter thereon to maintain, repair, replace, remove or otherwise attend thereto.

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 is vacating an unbuilt section of platted roadway between 2 lots generally located north of Kathleen Drive and south of Marie Avenue.

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 _____ day of _____, 2020.

Attest:

David J. Napier, Mayor

Shirley R Buecksler, City Clerk