

Notice of Vacation

The Public is hereby notified that at the City Council's regular City Council meeting at 7:00 PM on April 1, 2024 in the City Council chambers located at City Hall, 1211 Village Pkwy, Cologne, the City Council of the City of Cologne will consider the vacation of a blanket drainage and utility easement over lots in the Winkler 5th Addition neighborhood. The proposed resolution vacating the easement is as follows:

**CITY OF COLOGNE
RESOLUTION NO. 24-08__
VACATING A DRAINAGE AND UTILITY
EASEMENT**

WHEREAS, The City of Cologne, Minnesota, (the "City") was granted an easement over Outlot B, Winkler Crossing 4th Addition ("Outlot B") by Loomis Development LLC (the "Developer") on April 28, 2002 which was recorded with the Carver County Recorder's office as document number A745600 (the "Easement"); and

WHEREAS, the Easement was a blanket drainage and utility easement over the entirety of Outlot B; and **WHEREAS**, the terms of the Easement provided that the Easement may be partially released following the subsequent platting of Outlot B; and **WHEREAS**, Outlot B was platted as lots in the Winkler 5th Addition plat which was filed with the Carver County Recorder on August 17, 2023; and **WHEREAS**, the plat of Winkler 5th Addition provided for specific street, drainage and utility easements which fulfill the City's need for easements in the parts of Outlot B which were platted as lots and streets; and **WHEREAS**, the City has a continuing need for drainage and utility easements over other parts of Outlot B; and **WHEREAS**, the City has received a request from the Developer to release the Easement over the parts of Outlot B which were platted as lots; and **WHEREAS**, releasing the unneeded portions of the Easement will increase the marketability of residential lots in the City and make the lots more available to new residents;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLOGNE, THAT: 1. The recitals above are hereby incorporated and adopted as findings of fact. 2. It is in the interest of the public to vacate the portions of the Easement which affect the lots described in Exhibit A, which is incorporated into this resolution. 3. The Easement is hereby vacated and released only as to those lots described in Exhibit A.

EXHIBIT A

Lots 1 through 9, Block 1, WINKLER CROSSING 5TH ADDITION, Carver County, Minnesota;
And Lots 1 through 8, Block 2, WINKLER CROSSING 5TH ADDITION, Carver County, Minnesota;
And Lots 1 through 16, Block 3, WINKLER CROSSING 5TH ADDITION, Carver County, Minnesota;
And Lots 1 through 2, Block 4, WINKLER CROSSING 5TH ADDITION, Carver County, Minnesota;

Adopted and approved by the City Council of the City of Cologne on a vote of 5 ayes and 0 nays effective on the 1st day of April, 2024.

Approved:



Matt Lein
Mayor

Attested:

Michelle Morrison

Michelle Morrison

City Administrator/Clerk

M/ Bruss

Lein yes

Szaroletta yes

Kells yes

S/ Samuelson

Bruss yes

Samuelson yes