

**RESOLUTION #20-58**

**A RESOLUTION VACATING THE DRAINAGE AND UTILITY EASEMENT LYING  
WITHIN AREAS OF LOTS 1, 2, 3, AND 4, BLOCK 3, PRINCETON  
INDUSTRIAL PARK THIRD ADDITION**

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**WHEREAS**, Duane Kruse & Sharon Sandberg have requested the following described drainage and utility easements be vacated and also clean up language from to other City vacation of easements by Resolution #07-36 and #05-09:

That part of the drainage and utility easements dedicated over Lots 1 and 2, Block 3, Princeton Industrial Park Third Addition, Sherburne County, Minnesota, described as follows:

That part of the South 10.00 feet of Lot 1, Block 3, Princeton Industrial Park Third Addition, Sherburne County, Minnesota, which lies East of the West 16.00 feet of said Lot 1, and which lies West of the East 190.00 feet of said Lot 1.

AND

That part of the North 10.00 feet of Lot 2, Block 3, Princeton Industrial Park Third Addition, Sherburne County, Minnesota, which lies East of the West 16.00 feet of said Lot 2, and which lies West of the Southerly extension of the West line of the East 190.00 feet of Lot 1, said Block 3 in a drainage and utility easement vacation.

AND

The resolution for vacation of the east-west "utility" easement of Lot 1, Block 3, Princeton Industrial Park Third Addition per Doc. No. 582591 has numerous errors including the width of the easement and the type of the easement. The description of the vacation is vague as well, resulting in uncertainty as to the extent of the vacation. The surveyor has assumed to the probable intent of the descriptions on the survey, but suggests that the previous resolution description be clarified to match the original intent.

AND

The descriptions in the resolution for the vacation of utility and drainage easements between Lots 1, 2, 3, and 4, Block 3, Princeton Industrial Park Third Addition are vague, resulting in uncertainty as to the extent of the vacation. The surveyor has assumed the probable intent of the descriptions on the survey, but suggests that the previous resolution descriptions be clarified to match the original intent.

**WHEREAS**, there are no utilities in this easement so there is no present or prospective use for the existing easements; and

**WHEREAS**, it appears to be in the best interest of both the city and property owner to vacate the above described easement; and

**WHEREAS**, a public hearing was held on October 8<sup>th</sup>, 2020 by the Princeton City Council after published and posted notice had been given, and a reasonable attempt was made to give personal notice to all affected property owners, and all persons interested were given an opportunity to be heard; and

**NOW, THEREFORE, BE IT RESOLVED** that the following described drainage and utility easements is hereby vacated:

That part of the drainage and utility easements dedicated over Lots 1 and 2, Block 3, Princeton Industrial Park Third Addition, Sherburne County, Minnesota, described as follows:

That part of the South 10.00 feet of Lot 1, Block 3, Princeton Industrial Park Third Addition, Sherburne County, Minnesota, which lies East of the West 16.00 feet of said Lot 1, and which lies West of the East 190.00 feet of said Lot 1.

AND

That part of the North 10.00 feet of Lot 2, Block 3, Princeton Industrial Park Third Addition, Sherburne County, Minnesota, which lies East of the West 16.00 feet of said Lot 2, and which lies West of the Southerly extension of the West line of the East 190.00 feet of Lot 1, said Block 3 in a drainage and utility easement vacation.

AND

The resolution for vacation of the east-west "utility" easement of Lot 1, Block 3, Princeton Industrial Park Third Addition per Doc. No. 582591 has numerous errors including the width of the easement and the type of the easement. The description of the vacation is vague as well, resulting in uncertainty as to the extent of the vacation. The surveyor has assumed the probable intent of the descriptions on the survey, but suggests that the previous resolution description be clarified to match the original intent.

AND

The descriptions in the resolution for the vacation of utility and drainage easements between Lots 1, 2, 3, and 4, Block 3, Princeton Industrial Park Third Addition are vague, resulting in uncertainty as to the extent of the vacation. The surveyor has assumed the probable intent of the descriptions on the survey, but suggests that the previous resolution descriptions be clarified to match the original intent.

**BE IT FURTHER RESOLVED** that the City Council authorizes the recording of the vacated easement at the Sherburne County Government Center, Elk River, Minnesota.

**ADOPTED** by the Princeton City Council this 8<sup>th</sup> day of October, 2020.

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Brad Schumacher, Mayor

Attest:

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Robert Barbian, City Administrator

This instrument was drafted by:

City of Princeton  
705 2<sup>nd</sup> Street No.  
Princeton, MN 55371