

CITY OF FARIBAULT

ORDINANCE 2011-14

**AN ORDINANCE VACATING A PORTION OF A
DRAINAGE & UTILITY EASEMENT IN
DIVINE MERCY CATHOLIC CHURCH
(124 & 130 Mercy Drive)**

WHEREAS, Andy Brandel, I & S Group, on behalf of Divine Mercy Catholic Church, property owner, has petitioned for vacation of a perimeter drainage and utility easement at the common property line between 124 and 130 Mercy Drive; and

WHEREAS, it has been determined that there is no public interest in the easement to be vacated; and

WHEREAS, the Planning Commission, on the 16th day of August, 2011, following proper notice, held a public hearing regarding the request, and following said hearing, made a recommendation that the portion of the drainage and utility easement be vacated; and

WHEREAS, the City Council, on the 23rd day of August, 2011, following proper notice, held a public hearing to consider the proposed vacation, and all interested persons were provided with an opportunity to comment; and

WHEREAS, based upon said report, hearings, and Planning Commission recommendation, the City Council finds:

1. There is no public need for this portion of the drainage and utility easement.
2. There are no municipal utilities within the subject easements.
3. Vacating these easements will not have an adverse impact on the public.

NOW, THEREFORE, CITY OF FARIBAULT ORDAINS:

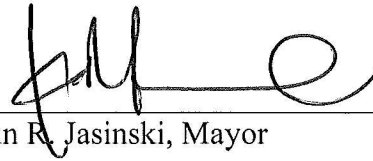
Section 1: Right of way Vacated. All utility easement interests of the City of Faribault, however acquired, as described and shown in the attached Exhibit A are hereby vacated.

Section 2: Filing. The City Administrator is hereby directed to file a certified copy of this ordinance with the Office of the Rice County Recorder.

Section 3: Effective Date. This ordinance shall take effect and be in force 30 days from and after its passage and publication, in accordance with Section 3.09 of the City Charter.

First Reading: August 23, 2011
Second Reading: September 13, 2011
Publication Date: September 17, 2011

Faribault City Council



A handwritten signature in black ink, appearing to read "John R. Jasinski", is written over a horizontal line.

John R. Jasinski, Mayor

ATTEST:



A handwritten signature in black ink, appearing to read "Charles S. Whiting", is written over a horizontal line.

Charles S. Whiting, City Administrator

**SUMMARY PUBLICATION
CITY OF FARIBAULT ORDINANCE 2011-14
AN ORDINANCE VACATING A PORTION OF A
DRAINAGE AND UTILITY EASEMENT**

The City Council of the City of Faribault ordains:

The City of Faribault is vacating a portion of a drainage and utility easement along the common lot lines of Lots 5 & 6, Block 2, Divine Mercy Catholic Church, Faribault, Rice County, Minnesota.

The complete text of Ordinance 2011-14 may be obtained at City Hall or from the City's website at www.faribault.org

First Reading: August 23, 2011

Second Reading: September 13, 2011