

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 22, 2016
Item No.: 12.a

Department Approval



City Manager Approval



Item Description: Approve Resolution Approving the Vacation of an Easement for Oakwood Heights Holdings Minor Subdivision

BACKGROUND

In 1957 the City of Roseville was granted a 20 foot wide utility easement by deed for the construction of a watermain and sanitary sewer system running through the property.

As part of a proposed subdivision in this area, Oakwood Heights Holding, the developer, has recommended the vacation of an existing easement running through the parcel at 892 County Road B. The current easement does not cover the alignment of the existing sanitary sewer and watermain pipe running through this parcel.

As seen on the attached minor subdivision, Attachment C, new utility easements would be established through the subdivision to cover the alignments of the existing sanitary sewer and watermain.

The vacation will be not be official until such time the City Manager executes and records a Notice of Completion of this vacation. This will be done once the minor subdivision has been approved by the City Council. Therefore, staff is recommending the vacation of the easement running west to east on the parcel located at 892 County Road B.

FINANCIAL IMPACTS

There is no financial impact to the City of Roseville.

STAFF RECOMMENDATION

Staff recommends that the City Council approve the attached resolution approving the vacation of the easement running north to south on the parcel at 892 County Road B.

REQUESTED COUNCIL ACTION

Conduct a public hearing receiving any public comments related to the proposed easement vacation.

Approval of resolution approving the vacation of a sewer easement running north to south on the parcel at 892 County Road B. The vacation will be subject to Council approval of the minor subdivision.

Prepared by: Jesse Freihammer, City Engineer
Attachments: A: Resolution
B: Aerial view of Subject Property
C: Draft Oakwood Heights Holding Minor Subdivision

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was duly held on the 22nd day of February, 2016, at 6:00 p.m.

The following members were present: ; and and the following members were absent:

Councilmember introduced the following resolution and moved its adoption:

RESOLUTION NO.

APPROVING THE VACATION OF AN EASEMENT LOCATED ON THE EAST 160 FEET OF THE WEST 780 FEET OF THE EAST 8 1/3 ACRES OF THE NORTH 20 RODS OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 29, RANGE 23, EXCEPT THE NORTH 33 FEET THEREOF TAKEN FOR COUNTY ROAD B WEST, ACCORDING TO THE GOVERNMENT SUVEY THEREOF, RAMSEY COUNTY, MINNESOTA

AND

ALL OF THE EAST 8 1/3 ACRES OF THE NORTH 20 RODS OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 29, RANGE 23, EXCEPT THE WEST 780 FEET THEREOF, ALSO EXCEPT THE EAST 245 FEET THEREOF, AND EXCEPT NORTH 33 FEET THEREOF TAKEN FOR COUNTY ROAD B WEST, ACCORDING TO THE GOVERNMENT SUVEY THEREOF, RAMSEY COUNTY, MINNESOTA

WHEREAS, easement was dedicated to the City of Roseville by deed; and

WHEREAS, a Request has been filed with the City of Roseville requesting the vacation of said sewer easement which lie within the following described real property:

All that part and portion of the East 160 feet of the West 180 feet of the East 8 1/3 acres of the North 20 rods of the NW 1/4 of Section 14, Town 29, Range 23, lying East of the following described line:

Beginning at a point on the north line, said point lying 16 feet distant westerly from the northeast corner; thence south 6 degrees 00 minutes west approximately 102 feet; thence south 7 degrees 00 minutes east approximately 196 feet to the southeast corner of said parcel,

1 And lying west of the following described line:

2
3 Beginning at a point on the east line, said point lying 30 feet distant southerly
4 from the northeast corner; thence south 6 degrees 00 minutes west
5 approximately 68 feet; thence south 7 degrees 00 minutes east approximately
6 50 feet to a point on the east line, said point lying 146 feet distant northerly
7 from the southeast corner of said parcel.

8
9 Also, all that part and portion of the East 8 1/3 acres of the North 20 rods of
10 the NW

11 1/4 of Section 14, Town 29, Range 23, except the West 780 feet thereof, lying
12 West of the following described line:

13
14 Beginning at a point on the west line, said point lying 146 feet distant
15 northerly from the southwest corner of said parcel, thence south 7 degrees 00
16 minutes east approximately 159 feet to a point on the south line, said point
17 lying 20 feet easterly of the southwest corner of said parcel.

18
19 WHEREAS, after two weeks published and posted notice have been given as well as notice
20 having been mailed to all affected property owners according to Minnesota Statutes, a public
21 hearing was held on February 22, 2016 at which all persons interested in said vacation were
22 given an opportunity to be heard; and

23
24 WHEREAS, the Roseville City Council has determined that the vacation would be in the public
25 interest;

26
27 NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
28 ROSEVILLE, MINNESOTA:

- 29
30 1. That the City of Roseville hereby vacates the easement dedicated to the City by deed, which
31 lies within the following described real property:

32
33 All that part and portion of the East 160 feet of the West 180 feet of the East
34 8 1/3 acres of the North 20 rods of the NW 1/4 of Section 14, Town 29,
35 Range 23, lying East of the following described line:

36
37 Beginning at a point on the north line, said point lying 16 feet distant
38 westerly from the northeast corner; thence south 6 degrees 00 minutes west
39 approximately 102 feet; thence south 7 degrees 00 minutes east
40 approximately 196 feet to the southeast corner of said parcel,

41
42 And lying west of the following described line:

43
44 Beginning at a point on the east line, said point lying 30 feet distant southerly
45 from the northeast corner; thence south 6 degrees 00 minutes west
46 approximately 68 feet; thence south 7 degrees 00 minutes east approximately

1 50 feet to a point on the east line, said point lying 146 feet distant northerly
 2 from the southeast corner of said parcel.

3
 4 Also, all that part and portion of the East 8 1/3 acres of the North 20 rods of
 5 the NW
 6 ¼ of Section 14, Town 29, Range 23, except the West 780 feet thereof, lying
 7 West of the following described line:

8
 9 Beginning at a point on the west line, said point lying 146 feet distant
 10 northerly from the southwest corner of said parcel, thence south 7 degrees 00
 11 minutes east approximately 159 feet to a point on the south line, said point
 12 lying 20 feet easterly of the southwest corner of said parcel.

- 13
 14 2. The vacation applies only to the easement which lies within the real property described in
 15 Provision 1 above which were dedicated to the City by deed and not to: (a) the rights of
 16 existing utilities, if any, and (b) any other easements running to or benefiting the City of
 17 Roseville or the Metropolitan Council.
 18
 19 3. Contingent upon the establishment of new utility easements on this property, dedicated to
 20 the City of Roseville during a minor subdivision lot split, the City Manager is directed to
 21 execute and record a Notice of Completion of this vacation proceeding pursuant to
 22 Minnesota Statutes §412.851. The vacation authorized by this Resolution shall not be
 23 effective until the Notice of Completion is recorded in the office of the Ramsey County
 24 Recorder.

25
 26 The motion was duly seconded by Councilmember and upon vote being taken thereon, the
 27 following voted in favor thereof: ; and and the following voted against:

28
 29 WHEREUPON said resolution was declared duly passed and adopted.

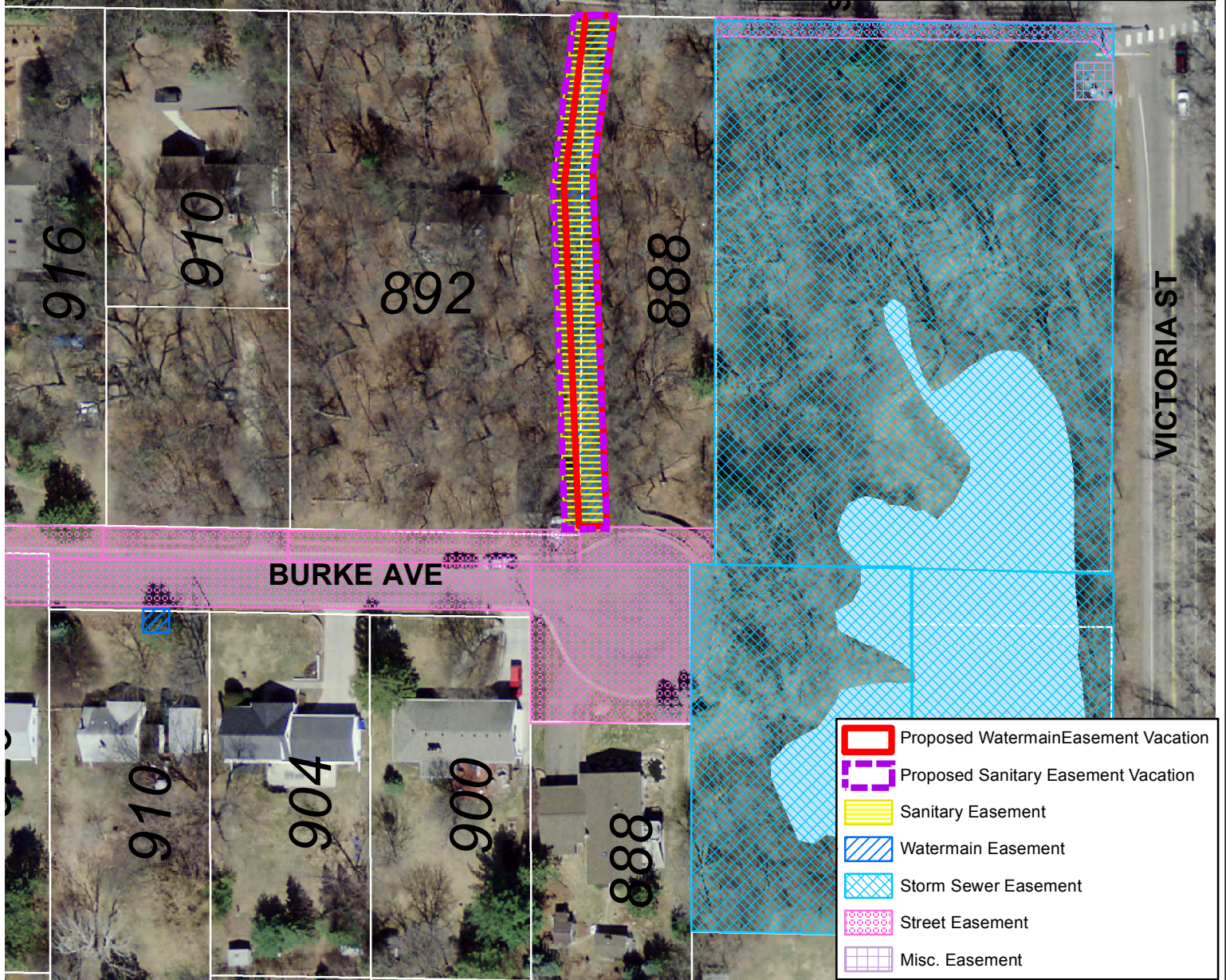
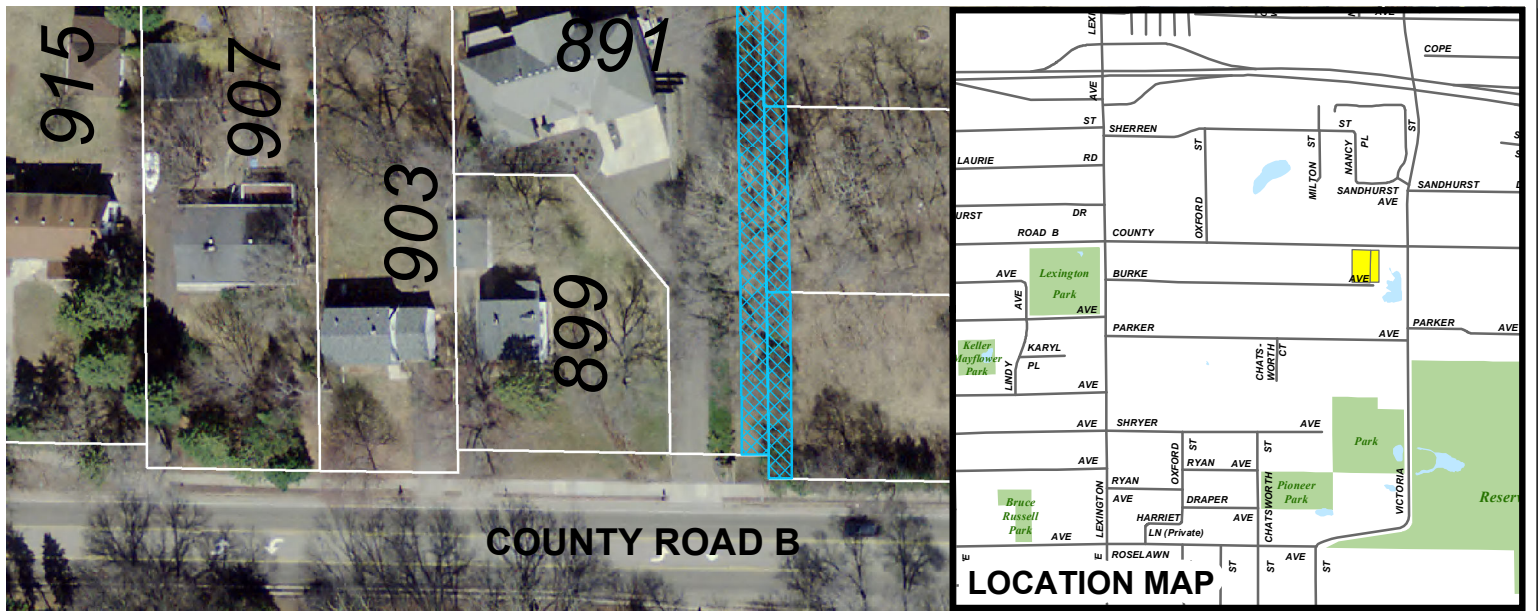
STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 22nd day of February, 2016, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 22nd day of February, 2016.

Patrick Trudgeon, City Manager

(SEAL)



888-892 County Road B Easement Vacation



Prepared by:
Engineering Department
January 22, 2016

Data Sources and Contacts:
 * Ramsey County GIS Base Map (1/04/16)
 * City of Roseville Engineering Department
 For further information regarding the contents of this map contact:
 City of Roseville, Engineering Department,
 2660 Civic Center Drive, Roseville MN

DISCLAIMER:

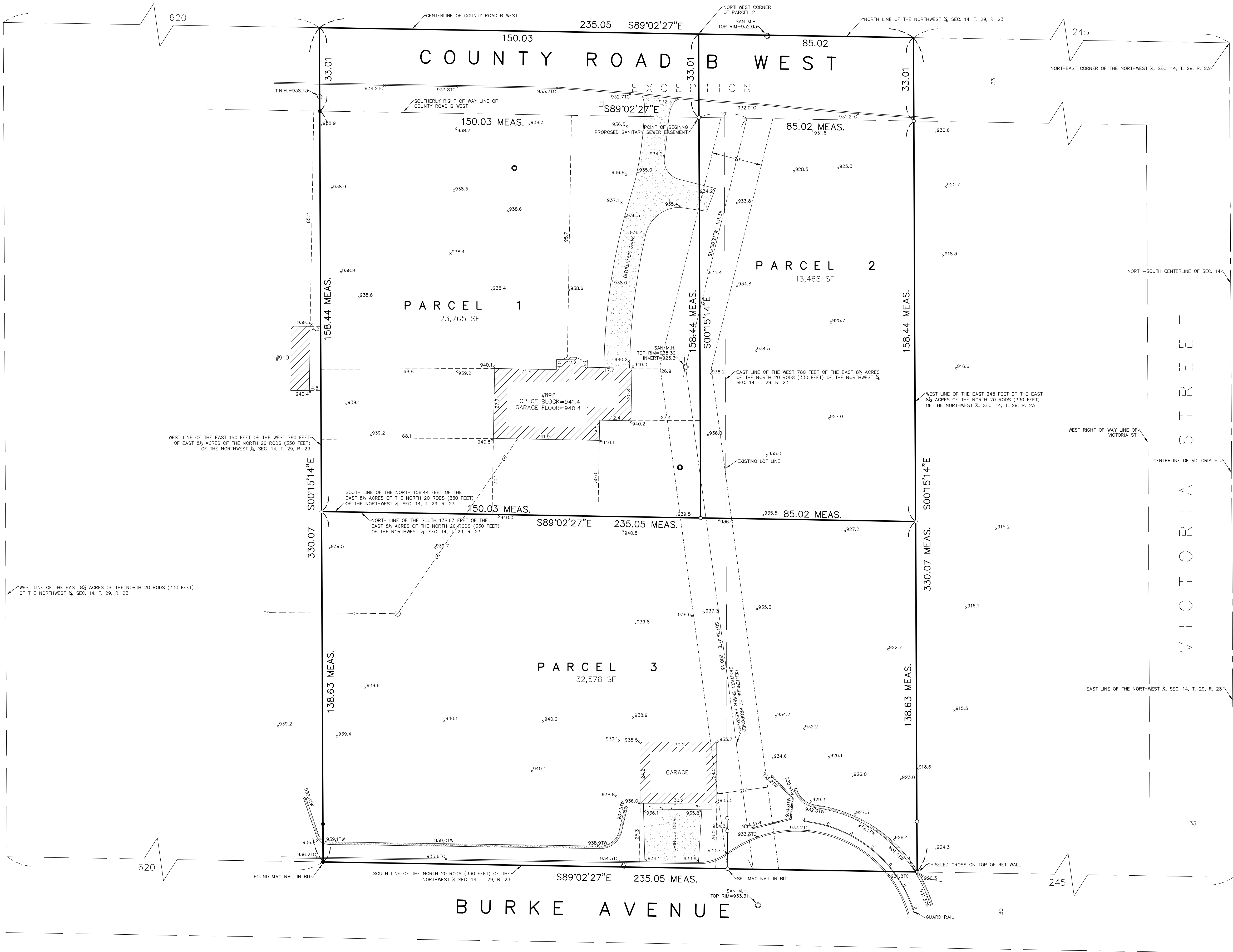
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0 20 40 60 80 Feet

mapdoc: EasementVacation_888-892CountyRoadB.mxd
map: EasementVacation_888-892CountyRoadB.pdf

SITE ADDRESS: 892 COUNTY RD. B WEST
ROSEVILLE, MN 55113

3 PARCEL MINOR SUBDIVISION SURVEY FOR:
OAKWOOD HEIGHTS HOLDING



Legend

- OE --- Overhead Electric
- Telephone Pedestal
- Sanitary Manhole
- Water Shutoff
- Concrete Curb
- Timber Retaining Wall
- Keystone Retaining Wall
- x900.0 Existing Elevation
- x900.0TC Top of Curb Elevation
- x900.0TW Top of Wall Elevation
- Found Iron Monument
- Set Iron Monument

SCALE: 1 INCH = 20 FEET

EXISTING PROPERTY DESCRIPTION:

The East 160 feet of the West 780 feet of the of the East 8½ acres of the North 20 rods of the Northwest ¼ of Section 14, Township 29, Range 23, except the North 33 feet thereof taken for County Road B, according to the Government Survey thereof, Ramsey County, Minnesota.

and

All of the East 8½ acres of the North 20 rods of the of the Northwest ¼, Section 14, Township 29, Range 23, except the West 780 feet thereof, also except the East 245 feet thereof, Ramsey County, Minnesota.

PROPOSED PROPERTY DESCRIPTIONS:

PARCEL 1
The East 150 feet of the West 770 feet of the East 8½ acres of the North 158.44 feet of the North 20 rods (333 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, except the North 33 feet thereof taken for County Road B West, according to the Government Survey thereof, Ramsey County, Minnesota, subject to a sanitary sewer easement as per Exhibit A, and subject to a water main easement as per Exhibit A.

PARCEL 2
The East 85 feet of the West 855 feet of the East 8½ acres of the North 158.44 feet of the North 20 rods (333 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, except the North 33 feet thereof taken for County Road B West, according to the Government Survey thereof, Ramsey County, Minnesota, subject to a sanitary sewer easement as per Exhibit A, and subject to a water main easement as per Exhibit A.

PARCEL 3
The East 235 feet of the West 855 feet of the East 8½ acres of the South 138.63 feet of the North 20 rods (333 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, according to the Government Survey thereof, Ramsey County, Minnesota, subject to a sanitary sewer easement as per Exhibit A, and subject to a water main easement as per Exhibit A.

PROPOSED SANITARY SEWER EASEMENT:

An easement for sanitary sewer 20 feet in width lying within the following described parcels of land:

PARCEL 1
The East 150 feet of the West 770 feet of the East 8½ acres of the North 158.44 feet of the North 20 rods (333 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, except the North 33 feet thereof taken for County Road B West, according to the Government Survey thereof, Ramsey County, Minnesota, subject to a sanitary sewer easement as per Exhibit A, and subject to a water main easement as per Exhibit A.

PARCEL 2
The East 85 feet of the West 855 feet of the East 8½ acres of the North 158.44 feet of the North 20 rods (333 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, except the North 33 feet thereof taken for County Road B West, according to the Government Survey thereof, Ramsey County, Minnesota, subject to a sanitary sewer easement as per Exhibit A, and subject to a water main easement as per Exhibit A.

PARCEL 3
The East 235 feet of the West 855 feet of the East 8½ acres of the South 138.63 feet of the North 20 rods (333 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, according to the Government Survey thereof, Ramsey County, Minnesota, subject to a sanitary sewer easement as per Exhibit A, and subject to a water main easement as per Exhibit A.

The centerline of said easement described as follows:

Commencing at the Northwest corner of Parcel 2 of attached Exhibit A; thence South 00 degrees 15 minutes 14 seconds East assumed bearing along the West line of Parcel 2 a distance of 33.01 feet to the Southerly right of way of County Road B; thence South 89 degrees 02 minutes 27 seconds East along the Southerly right of way of said County Road B West a distance of 19 feet to the point of beginning; thence South 12 degrees 50 minutes 21 seconds West a distance of 101.36 feet; thence South 07 degrees 39 minutes 41 seconds East a distance of 200.45 feet and there terminating, the sidelines of said easement are to be prolonged or shortened to end at the Southerly right of way line of County Road B West and the South line of the North 20 rods (330 feet) of the Northwest Quarter of Section 14, Township 29, Range 23, according to the Government survey thereof, Ramsey County, Minnesota.

BENCHMARK:

T.N.H. at 910 Burke Ave. Elevation = 941.13.

NOTES:

- All existing building dimensions are measured to the finished siding and not the building foundation.
- The location of all utilities shown are from observed evidence in the field and from plans furnished by the utility companies and are approximate. Utility companies should be notified for exact location before doing any excavation.

I hereby certify to Oakwood Holdings 40652, LLC and All American Title Co., Inc. and their respective successors and assigns that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.

W. BROWN LAND SURVEYING, INC.

Woodrow A. Brown

Woodrow A. Brown, R.L.S. MN REG 15230

Dated: 01-11-2015

W. BROWN LAND SURVEYING, INC.
8030 Cedar Avenue So., Suite 228
Bloomington, MN 55425
Bus: (952) 854-4055
Fax: (952) 854-4268

Drawing: 278-15	Date: 01-11-2015	Scale: 1 Inch = 20 Feet	1 of 1
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