

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: April 25, 2016
Item No.: 12.b

Department Approval



City Manager Approval



Item Description: Approve Resolution approving the vacation of an easement for Wheaton Woods Final Plat

BACKGROUND

In 1952 the City of Roseville was granted a 60 foot wide road easement by deed for the construction of a road and utilities as an extension of Wheaton Ave running through the property. The roadway and utilities were never built or extended.

As part of a proposed Wheaton Woods Plat, the Developer, Golden Valley Land Company, has recommended the vacation of an existing easement running west to east located on the south 478.56 feet of the SE1/4, SE1/4, SE1/4 of Section 2, Township 29 North, Range 23 West, subject to Dale St. & County Road "C". The current easement would create a straight road. The Developer wishes to create a road with a couple of horizontal curves to create a traffic calming effect and has requested the vacation of the existing easement so the new right of way can accommodate the new road alignment.

As seen on the attached proposed Final Plat, Attachment D, new right of way and easements would be established through the platting process for the new road and utilities.

The vacation will 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 Final Plat has been approved by the City Council.

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 west to east located on the south 478.56 feet of the SE1/4, SE1/4, SE1/4 of Section 2, Township 29 North, Range 23 West, subject to Dale St. & County Road "C".

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 highway easement running west to east through the proposed Wheaton Wood Plat. The vacation will be subject to Council approval of the Final Plat.

Prepared by: Jesse Freihammer, City Engineer

Attachments: A: Resolution
 B: Aerial view of Subject Property
 C: Easement Vacation Sketch & Description
 D: Proposed Wheaton Woods Final Plat

**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 25th day of April, 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 DESCRIBED AS THE NORTH 60
FEET OF THE SOUTH 478.56 FEET OF THE SE ¼, SE 1/4 , SE ¼ of SECTION 2,
TOWNSHIP 29 NORTH, RANGE 23 WEST, WHICH LIES WESTERLY OF THE EAST
33 FEET THEREOF.**

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 easement which lies within the following described real property:

The North 60 feet of the south 478.56 feet of the SE1/4, SE1/4, SE1/4 of
Section 2, Township 29 North, Range 23 West, which lies westerly of the
east 33 feet thereof.

WHEREAS, after two weeks published and posted notice have been given as well as notice having been mailed to all affected property owners according to Minnesota Statutes, a public hearing was held on April 25, 2016 at which all persons interested in said vacation were given an opportunity to be heard; and

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

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

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

1 The North 60 feet of the south 478.56 feet of the SE1/4, SE1/4, SE1/4 of
2 Section 2, Township 29 North, Range 23 West, which lies westerly of the
3 east 33 feet thereof.
4

- 5 2. The vacation applies only to the easement which lies within the real property described in
6 Provision 1 above which were dedicated to the City by deed and not to: (a) the rights of
7 existing utilities, if any, and (b) any other easements running to or benefiting the City of
8 Roseville or the Metropolitan Council.
9

- 10 3. Contingent upon the establishment of new right of way and easements on this property,
11 dedicated to the City of Roseville during final plat, the City Manager is directed to execute
12 and record a Notice of Completion of this vacation proceeding pursuant to Minnesota
13 Statutes §412.851. The vacation authorized by this Resolution shall not be effective until the
14 Notice of Completion is recorded in the office of the Ramsey County Recorder.
15

16 The motion was duly seconded by Councilmember and upon vote being taken thereon, the
17 following voted in favor thereof: ; and and the following voted against:
18

19 WHEREUPON said resolution was declared duly passed and adopted.

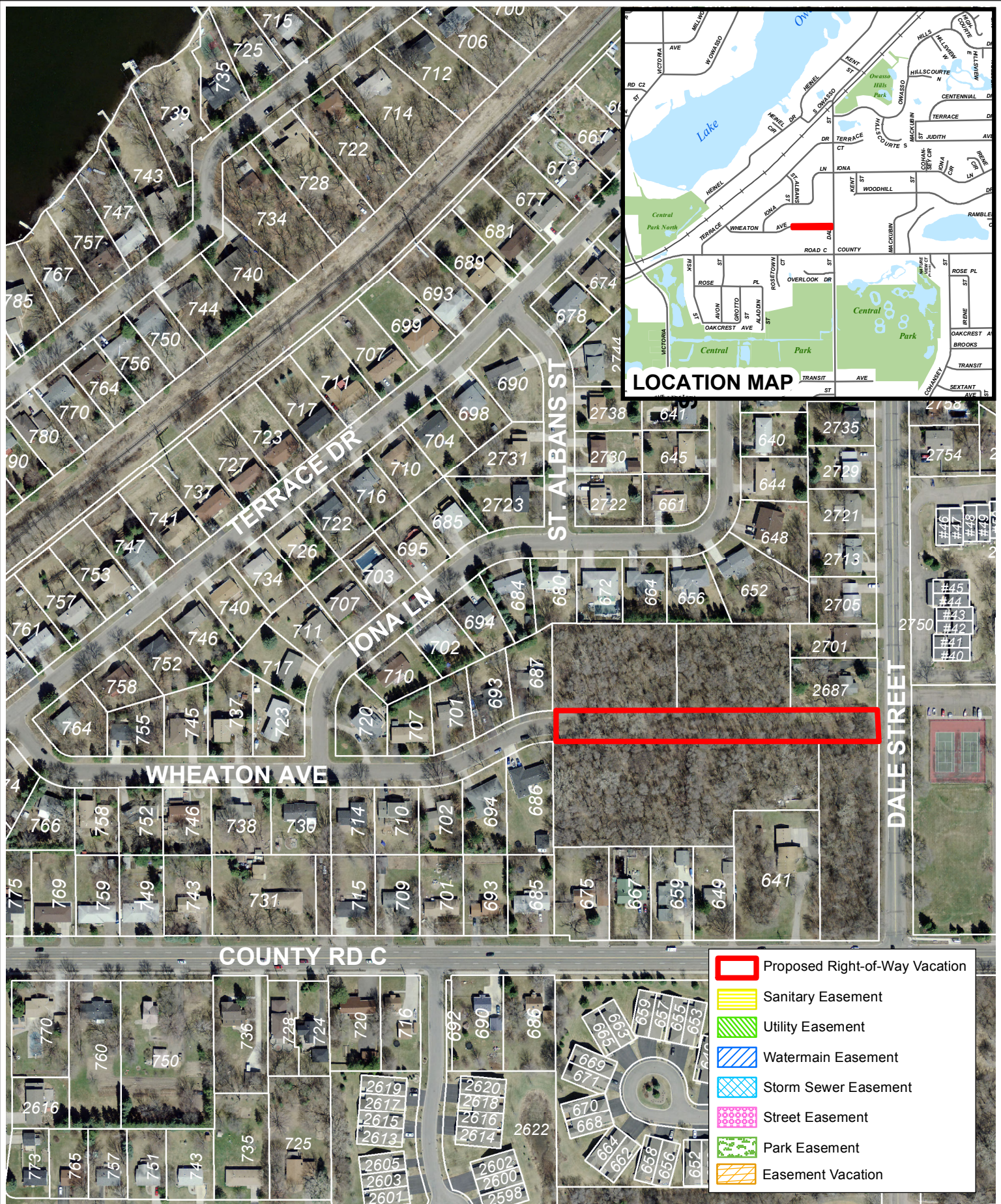
STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

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 25th day of April, 2016, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 25th day of April, 2016.

Patrick Trudgeon, City Manager

(SEAL)



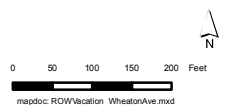
Wheaton Avenue Right-of-Way Vacation



Prepared by:
Engineering Department
April 14, 2016

Data Sources and Contacts:
* Ramsey County GIS Base Map (3/2/16)
* City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department
2650 Civic Center Drive, Roseville, MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in Ramsey County, Minnesota, and other sources. The City of Roseville does not warrant the accuracy, completeness, or timeliness of the information contained herein. The City of Roseville does not accept any liability for any errors or omissions in this map. The City of Roseville does not accept any liability for any damages, including consequential damages, arising from the use of this map. The City of Roseville does not accept any liability for any damages, including consequential damages, arising from the use of this map.



~for~ GOLDEN VALLEY LAND COMPANY
~of~ WHEATON AVENUE VACATION



PROPOSED VACATION DESCRIPTION

I hereby certify 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.

 **E. G. RUD & SONS, INC.**
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701
www.egrud.com

DRAWN BY: BPN		JOB NO: 15803PP	DATE: 4/12/16
CHECK BY: JER		SCANNED ☐	
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

UNRECORDED COPY
4/18/2016

KNOW ALL MEN BY THESE PRESENTS: That Golden Valley Land Company, a Minnesota Corporation, owner of the following described property situated in the City of Roseville, County of Ramsey, State of Minnesota:

The South 418 feet of the East 148 feet of the Southeast Quarter of Section 2, Township 29, Range 23, Ramsey County, Minnesota.

All of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Two (2), Township Twenty-nine (29), Range Twenty-three (23), except the West 350 feet of the South 214 feet; and except the West 240 feet lying North of the South 445 feet; and except the North 167 feet of the East 200 feet; and except the East 148 feet of the South 418 feet; and except the west 161.75 feet of the East 309.75 feet of the South 283 feet, Ramsey County, Minnesota.

The West Two Hundred Forty (W. 240) feet, except the South Four Hundred Forty-five (S. 445) feet of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Two (2), Township Twenty-nine (29), Range Twenty-three (23), according to the United States Government Survey thereof, Ramsey County, Minnesota.

Torrens Property

Has caused the same to be surveyed and platted as WHEATON WOODS and does hereby dedicate to the public for public use forever the public way and drainage and utility easements as shown on this plat.

In witness whereof said Golden Valley Land Company, a Minnesota Corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20 ____.

SIGNED: GOLDEN VALLEY LAND COMPANY

Peter J. Knaeble, President

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Peter J. Knaeble, President of Golden Valley Land Company, a Minnesota Corporation, on behalf of the company.

Notary Public, _____ County, Minnesota
My Commission Expires _____

I, Jason E. Rud, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been correctly set or will be correctly set within one year of recording this plat as indicated; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Jason E. Rud, Land Surveyor
Minnesota License No. 41578

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20____, by Jason E. Rud, a Licensed Land Surveyor.

Notary Public, _____ County, Minnesota
My Commission Expires _____

CITY OF ROSEVILLE

We do hereby certify that on the _____ day of _____, 20____, the City Council of the City of Roseville, Minnesota, approved this plat. Also, the conditions of Minnesota Statutes, Section 505.03, Subd. 2, have been fulfilled.

_____, Mayor _____, City Clerk

DEPARTMENT OF PROPERTY RECORDS AND REVENUE
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year _____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfers entered this _____ day of _____, 20____.

_____, Deputy
Property Records and Revenue

County Surveyor

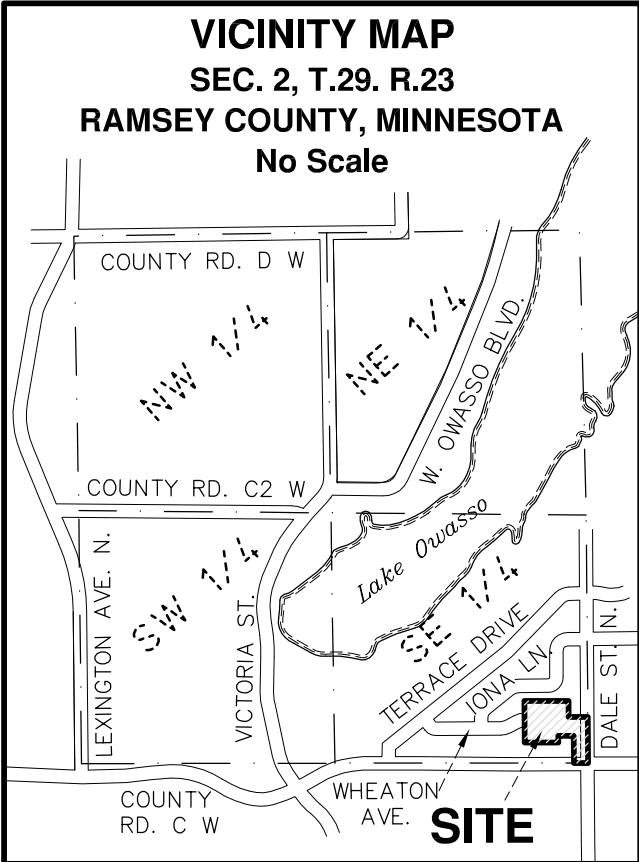
Pursuant to Minnesota Statutes, Section 383A.42, this plat is approved
this _____ day of _____, 20____.

Craig W. Hinzman, L.S.,
Ramsey County Surveyor

REGISTRAR OF TITLES
COUNTY OF RAMSEY, STATE OF MINNESOTA

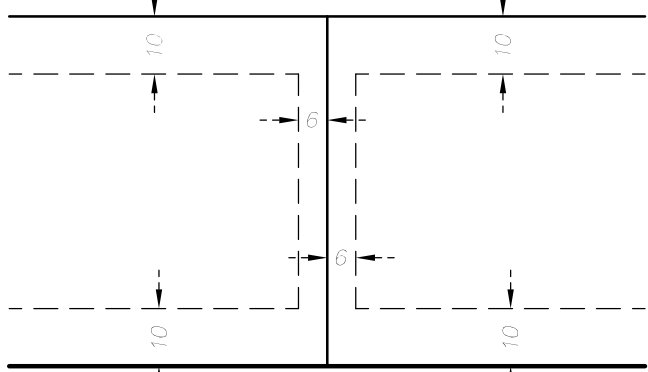
I hereby certify that this plat of WHEATON WOODS was filed in the office of the Registrar of Titles for public record on this _____ day of _____, 20____, at _____ o'clock ____M., and was duly filed in Book _____ of Plats, Page _____, as Document Number _____.

Deputy Registrar of Titles



EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH ADJOINING PUBLIC WAYS AND ADJOINING REAR LOT LINES AND 6 FEET IN WIDTH ADJOINING SIDE LOT LINES UNLESS OTHERWISE SHOWN.

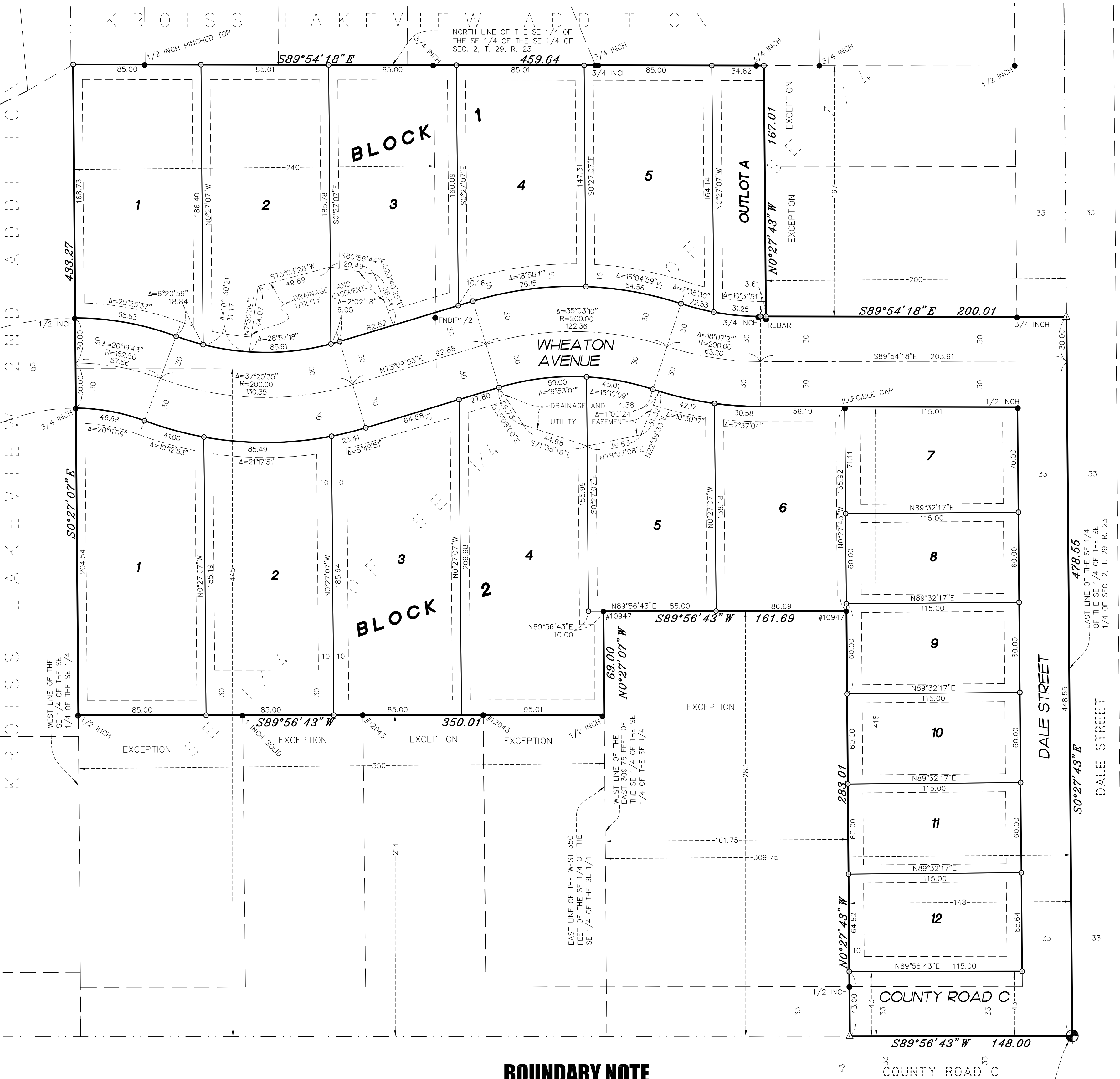
NORTH

GRAPHIC SCALE



For the purposes of this plat, the East line of the Southeast Quarter of Section 2, Township 29, Range 23, Ramsey County, Minnesota is assumed to bear South 02 degrees 27 minutes 43 seconds East.

WHEATON WOODS



BOUNDARY NOTE

For the purposes of this survey, the boundary was established by utilizing a survey completed by R. C. Wolfgram dated November 16, 1951. Said survey was an exhibit utilized for the registration of this parcel. Said boundary also matches the adjoining plats of KROISS LAKEVIEW ADDITION and KROISS LAKEVIEW 2ND ADDITION. The boundary also matches existing survey monumentation and existing occupation as shown.

- Denotes Ramsey County cast iron monument
- Denotes set 1/2 inch by 18 inch iron pipe monument marked RLS 41578.
- Denotes found iron monument as labeled.
- △ Denotes set PK nail with metal disk marked RLS 41578.

