

**LYNDEN TOWNSHIP
STEARNS COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2023-02

**RESOLUTION APPROVING VACATION OF
A PORTION OF A DRAINAGE AND UTILITY EASEMENT**

WHEREAS, Lynden Township has received a Petition requesting the vacation of a portion of the drainage and utility easements on Lots 1, 2 and 3, Block 4, Lynden Valley Industrial Park in Lynden Township, said petition being signed by landowners, all of whom are voters residing in Lynden Township and who own property within a three mile radius of the easement to be vacated described as follows:

That portion of the drainage and utility easements as platted in the Lynden Valley Industrial Park plat described as follows:

- 1) That part of the 20-foot wide drainage and utility easement abutting the east lines of Lots 2 and 3, Block 4; and
- 2) That part of the 20-foot wide drainage and utility easement abutting the east line of Lot 1, Block 4 and located north of a point 154.63 feet south of the north lot line of said Lot 1, Block 4; and
- 3) That part of the 10-foot wide drainage and utility easement located on Lot 1, Block 4 abutting the north line of said Lot 1, located 10 feet east of the west lot line of said Lot 1; and
- 4) That part of the 10-foot wide drainage and utility easement located on Lot 2, Block 4 abutting the south line of said Lot 2, located 10 feet east of the west lot line of said Lot 2;

all such property located in the plat of Lynden Valley Industrial Park on file in the Stearns County Recorder's Office, Stearns County, Minnesota.

WHEREAS, the Town Board has determined that vacating said drainage and utility easement would be in the public interest; and

WHEREAS, Lynden Township has considered the petition to vacate that portion of the easement so described; and

WHEREAS, each Supervisor did view the subject drainage and utility easement prior to the date of the hearing as required by Minn. Stat. §164.07; and

WHEREAS, the Town Board Chairman ordered a meeting to hear all interested parties and to act upon said vacation petition at 6:00 p.m. on the 2nd day of February, 2023, at the Lynden Town Hall.

WHEREAS, all legal requirements regarding giving notice have been satisfied; and

WHEREAS, it now appears to the Town Board of Lynden Township that such drainage and utility easements serve no useful purpose.

NOW, THEREFORE, the Town Board of the Lynden Township, Stearns County, Minnesota, hereby orders:

1. That portion of the drainage and utility easements as platted in the Lynden Valley Industrial Park plat described as follows:
 - 1) That part of the 20-foot wide drainage and utility easement abutting the east lines of Lots 2 and 3, Block 4; and
 - 2) That part of the 20-foot wide drainage and utility easement abutting the east line of Lot 1, Block 4 and located north of a point 154.63 feet south of the north lot line of said Lot 1, Block 4; and
 - 3) That part of the 10-foot wide drainage and utility easement located on Lot 1, Block 4 abutting the north line of said Lot 1, located 10 feet east of the west lot line of said Lot 1; and
 - 4) That part of the 10-foot wide drainage and utility easement located on Lot 2, Block 4 abutting the south line of said Lot 2, located 10 feet east of the west lot line of said Lot 2;

all such property located in the plat of Lynden Valley Industrial Park on file in the Stearns County Recorder's Office, Stearns County, Minnesota,

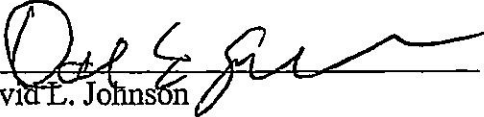
are hereby vacated.

2. The Town Board hereby determines that the vacation of said drainage and utility easements shall cause no damage to any abutting or nearby property owners and therefore no damages are awarded to any such property owners.
3. The Town Board hereby directs the Township Clerk to cause service of the Notice of Damage Award upon the following landowner: JHK Properties, LLC, 19512 Hubble Road, Clearwater, MN 55320.

Motion for adoption of resolution by JOHNSON and seconded by
PLIBERMAN at the meeting of the Lynden Town Board on the 2nd day of
February, 2023.

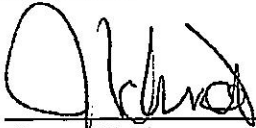
In favor: 2

Opposed: 0



David L. Johnson
Town Board Chairperson

ATTEST:



Town Clerk