

Resolution Vacating a Town Road

STATE OF MINNESOTA)
TOWN OF DRESBACH)
COUNTY OF WINONA)

WHEREAS, the Town Board of Dresbach, Winona County, Minnesota received a petition calling for the vacation of the following describe road pursuant to Minn. Stat. §164.07:

All that part of B Street described as follows:

Commencing at the northeast corner of Block Fourteen (14) of the plat of the Village of Dresbach; thence northerly along the extended east line of said Block Fourteen (14) and the west line of Front Street thirty-one (31) feet to the point of beginning of the parcel to be described; thence continuing northerly along said line nineteen (19) feet to the southeast corner of Block Fifteen (15) of said plat and a point on the north line of B Street; thence west along the north line of B Street a distance of forty (40) feet; thence south on a line perpendicular to the north line of B Street a distance of fourteen (14) feet, thence southeasterly in a straight line to the point of beginning.

WHEREAS, said petition was signed by not less than eight voters of the town who own real estate, or occupy real estate under the homestead or preemption laws or under contract with the state, within three miles of the road;

WHEREAS, the road passes over the following described tract of land in Winona County, Minnesota, owned by the following named owners:

<u>Owners</u>	<u>Description of Land</u>
1. Stephen E. Carlisle & Melinda S. Carlisle	Part of Lot 1 Block 15, part of vacated Front Street, and part of Mill Lot 8, Town of Dresbach

WHEREAS, the town board conducted a public hearing on the petition on the 2nd day of September, 2003, after personal and posted notice provided by the petitioners pursuant to Minn. Stat. §164.07, subd.2, and published notice provided by the town board.

WHEREAS, the petitioners presented the town board with affidavits at the hearing as proof that the required notice was given;

WHEREAS, the town board examined the road, heard the interested parties, and considered the matter;

WHEREAS, the town board determined that the petitioned for action is consistent with the public interest;

WHEREAS, the town board has examined the ditches lateral to the road and determined that said ditches are not essential for surface drainage of adjacent lands or highways in support to the general health and welfare of the public;

WHEREAS, the effected owners have signed the petition requesting the vacation of the above described road;

WHEREAS, the town board has determined damages sustained are equal to the benefits conferred by the vacation for the owners.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Dresbach Township, Winona County, Minnesota hereby vacates a town road legally described as follows:

All that part of B Street described as follows:

Commencing at the northeast corner of Block Fourteen (14) of the plat of the Village of Dresbach; thence northerly along the extended east line of said Block Fourteen (14) and the west line of Front Street thirty-one (31) feet to the point of beginning of the parcel to be described; thence continuing northerly along said line nineteen (19) feet to the southeast corner of Block Fifteen (15) of said plat and a point on the north line of B Street; thence west along the north line of B Street a distance of forty (40) feet; thence south on a line perpendicular to the north line of B Street a distance of fourteen (14) feet, thence southeasterly in a straight line to the point of beginning.

BE IT FURTHER RESOLVED, that the town board chair and town clerk are hereby authorized and directed to execute and record a town road order vacating said town road and to record the same with the County Recorder of Winona County;

BE IT FINALLY RESOLVED, that the town clerk is authorized and directed to provide a copy of this resolution to each of the affected owners listed above.

Adopted this ____ day of September, 2003 by the following vote:

<u>Town Supervisor</u>	<u>Yes</u>	<u>No</u>
<u>Jeff Demarest</u>	<u>X</u>	<u> </u>
<u>Joan Solun</u>	<u>X</u>	<u> </u>
<u>George Howe</u>	<u>Absent</u>	<u> </u>

ATTEST: Carey L. Shum
Town Clerk

Dresbach Town Board

Joan S. Solun
Board Chair