

9-5-17 Not Approved
C. Stevens, Clerk/Treasurer

**BALDWIN TOWNSHIP
COUNTY OF SHERBURNE
STATE OF MINNESOTA**

RESOLUTION NO. 17-09

**RESOLUTION VACATING A PORTION OF
142nd STREET**

WHEREAS, Baldwin Township has duly published and mailed notice of a public hearing to consider the vacation of a portion of 142nd Street N.W. legally described as follows:

See Attachment

WHEREAS, the Town has heard from all interested members of the public at a duly noticed public hearing to consider said vacation; and

WHEREAS, the Town Board believes that said portion of road easement is no longer needed for public use; and

WHEREAS, the Town believes that it is in the interest of the public to vacate said portion of 142nd Street N.W.

**NOW, THEREFORE, BE IT RESOLVED BY BALDWIN
TOWNSHIP:**

1. The Town finds that the portion of 142nd Street N.W. (formerly known as Elk Avenue) legally described above is no longer needed for public purposes; and
2. The Town finds that it is in the interest of the public to vacate said portion of 142nd Street N.W. legally described above; and
3. The Town Board hereby determines that the lateral ditches of said road are essential for surface drainage of adjacent lands and public highways in the area and are hereby reserved; and
4. The Town Board hereby reserves a utility easement in favor of all utility companies that currently maintain service within said right-of-way to be vacated. Said reserved easement is described as extending ten feet in each direction from the center of any existing utility lines; and

5. The Town Board hereby reserves the right to place snow and ice upon the right-of-way to be vacated as necessary for road maintenance activities; and
6. The Town Clerk is hereby directed to execute the necessary paperwork to complete the vacation of said portion of 142nd Street N.W. legally described above.

Dated: _____, 2017

Town Board Chair

ATTEST:

Town Clerk

Proposed Easement Vacation for 142nd Street NW

That part of Elk Avenue as shown on the plat of FOURTH ELK LAKE ESTATES, as recorded in Sherburne County, Minnesota, and now known as 142nd Street NW, which lies northwesterly of the following described line:

Commencing at the angle point on the east line of Lot 16, Block 11, said FOURTH ELK LAKE ESTATES; thence northwesterly, along the southwesterly right of way line of said Elk Avenue, a distance of 146 feet, more or less, to the intersection with a line which is perpendicular to said right of way line and is 33 feet northwesterly of the center of the existing cul de sac within that part of 142nd Street NW that lies northeast of Lots 17 thru 20, said Block 11, said intersection being the point of beginning of the line to be described; thence northeasterly, along said perpendicular line, a distance of 40 feet, more or less, to the northeasterly line of said right of way and said described line there terminating.

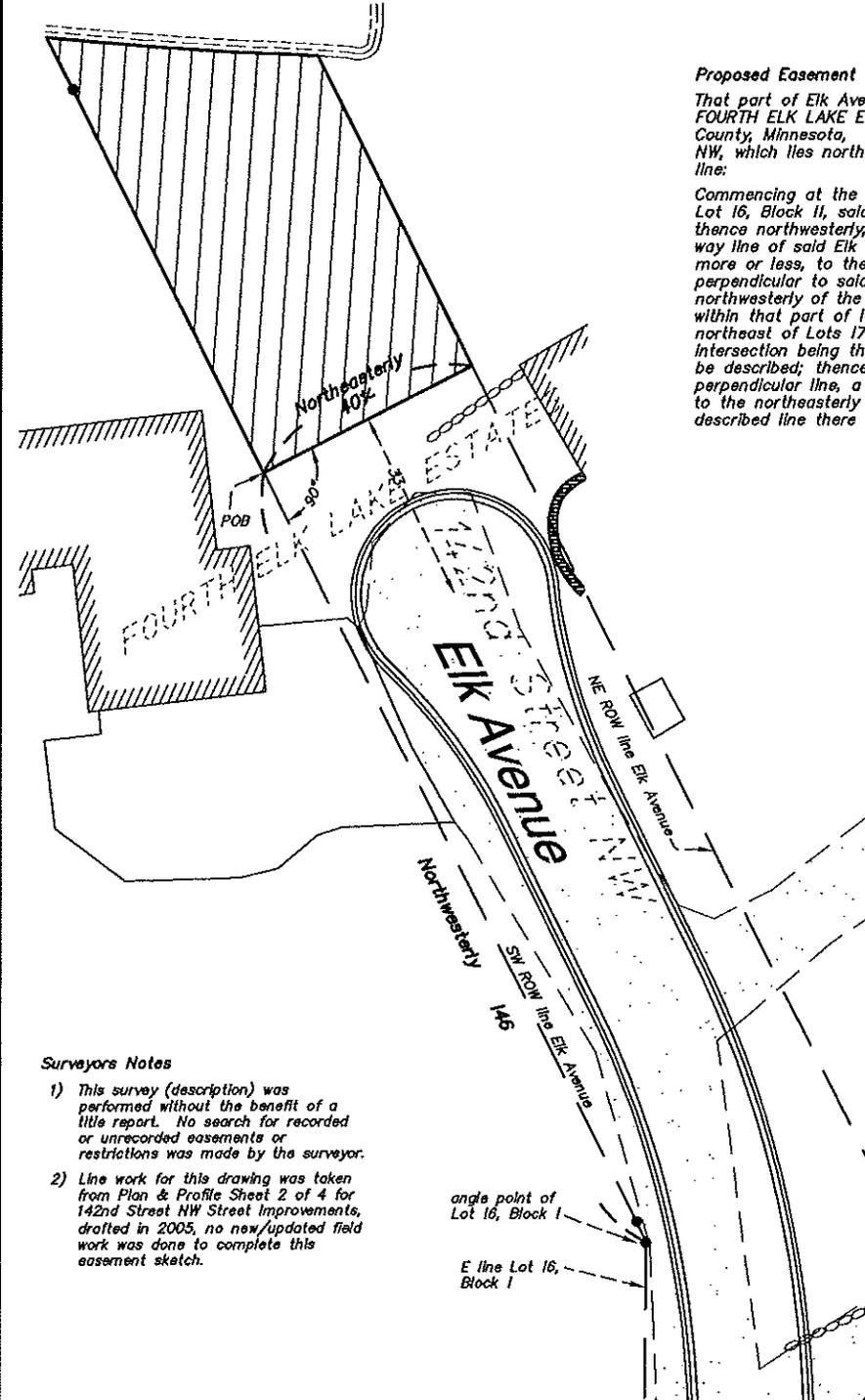
Easement Vacation Sketch

for

Brian Baumgartner

Sec 30, Twp 35, Rge 26,

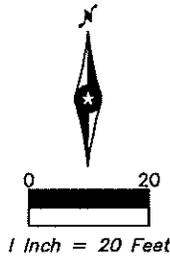
Baldwin Township, Sherburne County, MN



Proposed Easement Vacation for 142nd Street NW

That part of Elk Avenue as shown on the plat of FOURTH ELK LAKE ESTATES, as recorded in Sherburne County, Minnesota, and now known as 142nd Street NW, which lies northwesterly of the following described line:

Commencing at the angle point on the east line of Lot 16, Block 11, said FOURTH ELK LAKE ESTATES; thence northwesterly, along the southwesterly right of way line of said Elk Avenue, a distance of 146 feet, more or less, to the intersection with a line which is perpendicular to said right of way line and is 33 feet northwesterly of the center of the existing cul de sac within that part of 142nd Street NW that lies northeast of Lots 17 thru 20, said Block 11, said intersection being the point of beginning of the line to be described; thence northeasterly, along said perpendicular line, a distance of 40 feet, more or less, to the northeasterly line of said right of way and said described line there terminating.



LEGEND:

- Denotes found iron monument

Surveyors Notes

- 1) This survey (description) was performed without the benefit of a title report. No search for recorded or unrecorded easements or restrictions was made by the surveyor.
- 2) Line work for this drawing was taken from Plan & Profile Sheet 2 of 4 for 142nd Street NW Street Improvements, drafted in 2005, no new/updated field work was done to complete this easement sketch.

FIELD DATE:
BK/PG:
DRAWN BY:
CHECKED BY:

REVISIONS:



BOGART, PEDERSON & ASSOCIATES, INC.

LAND SURVEYING
CIVIL ENGINEERING
MAPPING

13076 FIRST STREET, BECKER, MN 55308-9322
TEL: 763-262-8822 FAX: 763-262-8844

DRAWING FILE:
sketch.dwg

FILE NO.
17-0302.00