

**To: HONORABLE MAYOR AND CITY COUNCIL.**

**FROM: Dave Maroney, Director of Economic Development and Planning.**

**SUBJECT: *Pendelton Street Vacation.***

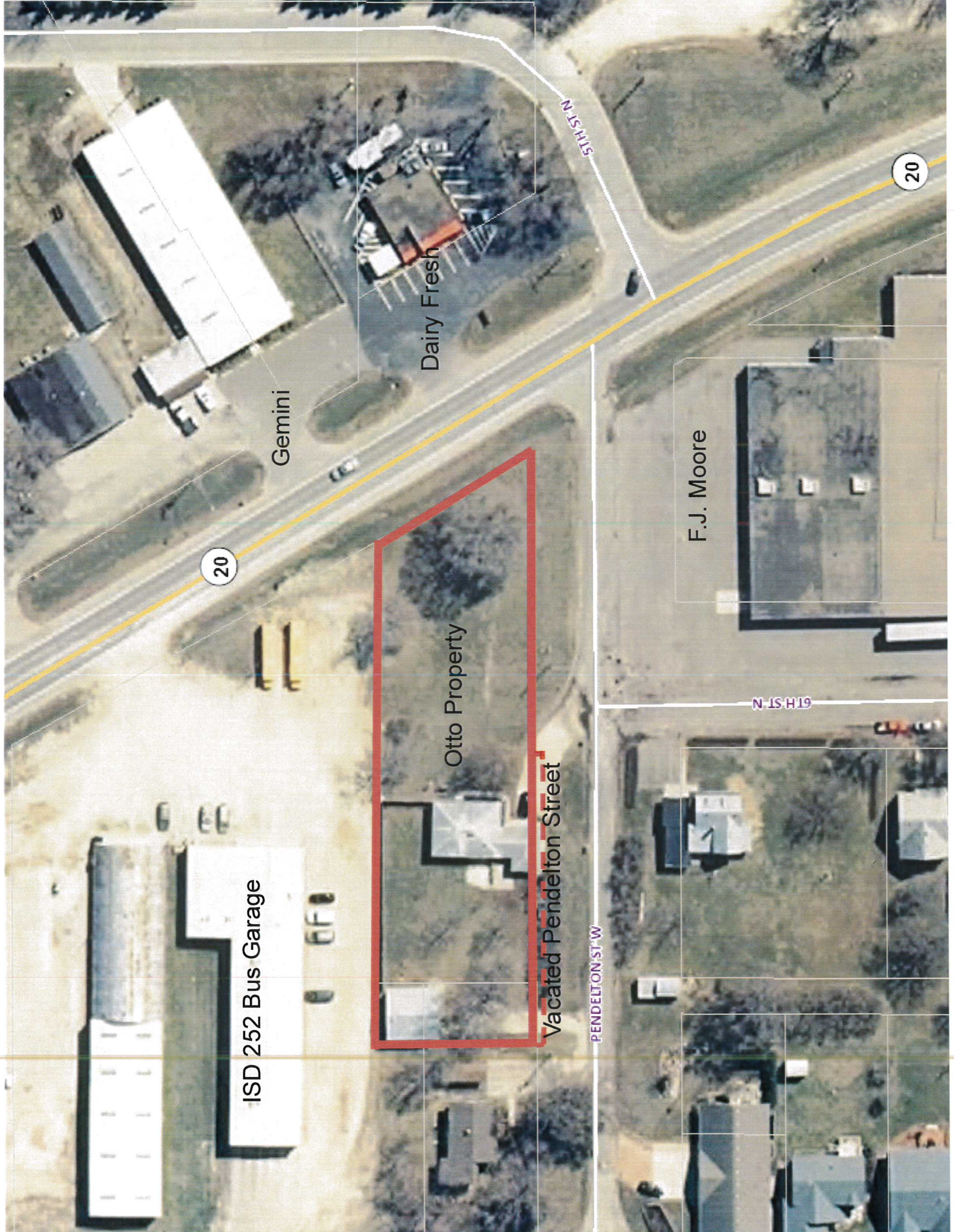
**DATE: June 16, 2016.**

**BACKGROUND.**

Mitch and Aftin Otto have made application seeking to have the City Council vacate part of Pendelton Street to rectify encroachment of their home onto Pendelton Street – see the accompanying aerial photograph of the neighborhood and *Samuelson Survey dated August 19, 2004, revised May 25, 2016.* As required by City Code, a public hearing has been scheduled to consider this matter.

**REQUESTED COUNCIL ACTION.**

The City Council is asked to approve the accompanying Resolution vacating the north five feet (5') feet of Pendelton Street adjacent to the property owned by the Otto's.



Dairy Fresh

Gemini

20

Otto Property

ISD 252 Bus Garage

F.J. Moore

N 15th St

Vacated Pendelton Street

PENDELTON ST W

20

Web: samuelsonsurveying.com FAX: (507) 263-5114 EMAIL: rasurvey@frontiernet.net

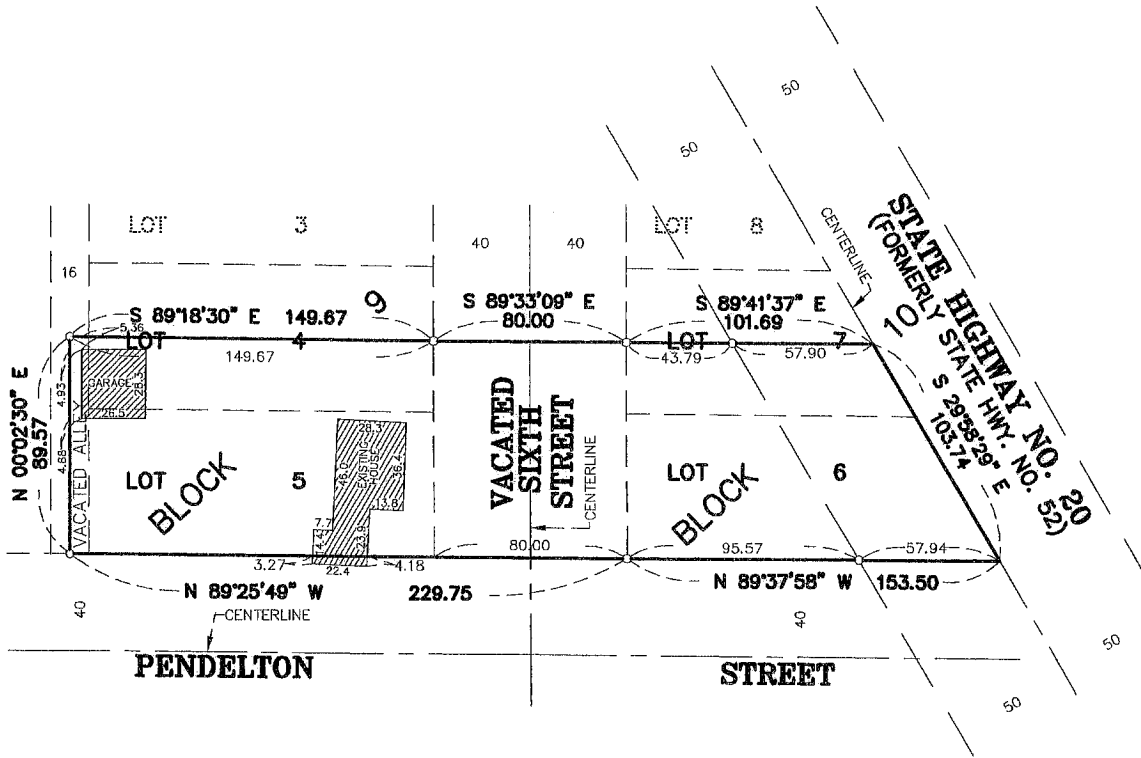
**SAMUELSON SURVEYING INC.**



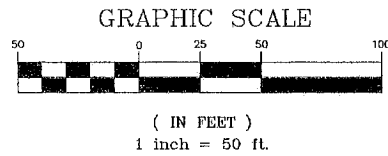
Cannon Falls Office  
1103 West Main Street  
Cannon Falls, MN. 55009  
Phone (507) 263-3274

Farmington Office  
300 Oak Street  
Farmington, MN. 55024  
Phone (851) 460-6660

**SURVEYORS CERTIFICATE**



- DENOTES SET IRON PIPE WITH PLASTIC CAP MARKED RLS 16998
- DENOTES FOUND IRON



**LEGAL DESCRIPTION**

The south half (S 1/2) of Lot four (4) and all of Lot five (5), in Block nine (9).  
All that part of Lot six (6) and the south half (S 1/2) of Lot seven (7), in Block ten (10), lying west of the centerline of State Trunk Highway No. 52.  
Also that part of Sixth Street lying contiguous to and between the above described premises.  
All in St. Clair's Terre Haute Addition to Cannon Falls according to the plat thereof on file and of record in the office of the Register of Deeds for the County of Goodhue, State of Minnesota.

Revised to show garage  
May 25, 2016

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.

DATE: August 19, 2004

*V. Richard Samuelson*

V. Richard Samuelson Minnesota Reg. No. 16998

**CITY OF CANNON FALLS  
GOODHUE COUNTY, MINNESOTA**

**RESOLUTION NUMBER 2205**

**RESOLUTION VACATING PART OF PENDELTON STREET**

**WHEREAS**, property owners Mitch and Aftin Otto have requested that the north five feet (5') of Pendelton Street adjacent to Lot 5, Block 9, St. Claire's Terre Haute Addition to Cannon Falls be vacated to rectify encroachment of an existing house onto the Pendelton Street right-of-way; and

**WHEREAS**, following duly given notice, the City Council of Cannon Falls has held a public hearing and considered comments and objections thereto and found that the vacation of part of Pendelton Street as requested by Mitch and Aftin Otto is in the public interest.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA**, that the street right-of-way legally described as the north five feet (5') of Pendelton Street adjacent to Lot 5, Block 9, St. Claire's Terre Haute Addition to Cannon Falls is hereby vacated reserving a permanent easement for existing utilities, including the right to continue to maintain said utilities and the right to enter upon such vacated streets to maintain, repair, replace, and/or remove said utilities or otherwise attend thereto.

Adopted by the City Council of Cannon Falls this 21st day of June, 2016.

City of Cannon Falls

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Lyman M. Robinson, Mayor

Attest: \_\_\_\_\_  
Ronald S. Johnson, City Administrator