

TO: MAYOR AND CITY COUNCIL

FROM: Neil Jensen, City Administrator

SUBJECT: Fairgrounds Street Vacation Public Hearing and Resolution 2681

MEETING DATE: April 18, 2023

BACKGROUND

As part of the agreement with the Fair Board the City would vacate the streets inside the fairgrounds. The City of Cannon Falls has watermain running inside the grounds and as part of the agreement the City kept utility easements over the watermain. The streets no longer serve the purpose intended and if the land is redeveloped it would be replated at that time.

STAFF RECOMMENDATION

After the public hearing if there are no objections to the street vacations, please adopt Resolution 2681.

REQUESTED COUNCIL ACTION

Please adopt Resolution 2681, Vacating Certain Easements Located in the City of Cannon Falls, County of Goodhue, State of Minnesota.

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

RESOLUTION NUMBER 2681

**RESOLUTION VACATING CERTAIN EASEMENTS LOCATED IN THE CITY OF
CANNON FALLS, COUNTY OF GOODHUE, STATE OF MINNESOTA**

WHEREAS, the Cannon Valley Fair Association, Inc. (the “**Fair Association**”) owns real property within the City;

WHEREAS, currently there are easements for right-of-way and public roadway purposes over certain portions of the Fair Association’s property, which easements are legally described and depicted on the attached Exhibit A (“**Right-of-Way**”);

WHEREAS, on October 4, 2022, the City adopted Resolution No. 2645, a Resolution Approving Agreement Between the City and Cannon Valley Fair Association, Inc. Regarding Land Conveyances and Related Matters and Setting a Public Hearing on Vacating Certain Right-of-Way Located in the City of Cannon Falls, County of Goodhue, State of Minnesota (the “**Resolution**”);

WHEREAS, on or about February 17, 2023, the City and Fair Association entered into the Agreement approved by the Resolution, pursuant to which the City agreed to transfer and convey certain City-owned Property to the Fair Association and vacate the Right-of-Way in exchange for acquiring from the Fair Association certain real property and a utility easement over the vacated Right-of-Way (the “**Agreement**”);

WHEREAS, a public hearing regarding the vacation of the Right-of-Way was held by the City Council on the 18th day of April, 2023, at which hearing all persons interested to be heard thereon were given an opportunity to be heard;

WHEREAS, vacating the Right-of-Way serves a public purpose because it is a material term of the Agreement pursuant to which the City obtains real property and replaces the Right-of-Way with a utility easement that will better serve the City and the general public; and

WHEREAS, the Right-of-Way is no longer be needed by the City and a vacation of the Easements is in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls, Minnesota that the Right-of-Way is hereby vacated, which vacation shall not become effective until a Notice of Vacation bearing the City’s seal is recorded in the Office of the Goodhue County Recorder and/or the Goodhue County Registrar of Titles. The recording of a Notice of Vacation shall be considered satisfaction of this condition.

ADOPTED by the City Council this 18th day of April 2023.

Matt Montgomery, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator

Exhibit A

