

CITY OF VERGAS
COUNTY OF OTTER TAIL
STATE OF MINNESOTA
RESOLUTION NO. 2020 - 009

RESOLUTION FOR VACATING LOVER'S LANE,
EAST RAILWAY AVENUE AND PART OF NESBITT AVENUE

The City Council of the City of Vergas, Minnesota does hereby resolve as follows:

WHEREAS, the City Council of Vergas previously passed a resolution noting its interest in vacating Lover's Lane Alley, East Railway Avenue and part of Nesbitt Avenue pursuant to Minnesota Statute § 412.851 and setting a public hearing to consider the vacation of such streets; and

WHEREAS, the City of Vergas Planning Commission conducted a public hearing to consider the vacation of Lover's Lane Alley, East Railway Avenue and part of Nesbitt Avenue on October 26, 2020 at 6:30 p.m. via Zoom, after published and posted notice had been given; and

WHEREAS, all interested and affected persons were given the opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling an easement contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because the roads have not been used for public travel on a regular basis and similar public access to any lots affected by the vacation is available; and

WHEREAS, that part of Lover's Lane Alley to be vacated is described as:

The part of Lover's Lane located between the south line of Nesbitt Avenue and the north line of Frazee Avenue, according to the original plat of Scharf and Nesbitt's Second Addition to Vergas, said plat being dated January 2, 1912 and recorded in the office of the Otter Tail County Recorder on January 4, 1912 as document number 128987.

WHEREAS, the parts of East Railway Avenue and Nesbitt Avenue to be vacated is described as:

All that part of "East Railway Avenue" situated in the original plat of Scharf & Nesbitt's Second Addition, said plat being on file and of record on the Office of the

Otter Tail County Recorder, Minnesota; and all of that part of "Nesbitt Avenue" located withing said Scharf & Nesbitt's Second Addition and lying southwesterly of the following described line: Beginning at the Northerly most corner of Lot 8, Block 1 of said Scharf & Nesbitt's Second Addition; thence North 57°36'52" 53.85 feet more or less to the point of intersection with the northwesterly right-of-way line of "Nesbitt Avenue" and there terminating.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Vergas, County of Otter Tail, Minnesota, that Lover's Lane Alley, East Railway Avenue and part of Nesbitt Avenue as described above are hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Adopted by the Council this 8 day of December 2020

Dean Haarstick, Mayor

ATTEST: the resolution to vacated Lover's Lane Alley, East Railway Avenue and part of Nesbitt Avenue is adopted. The clerk shall prepare a notice of completion of the proceedings for the purposes of filing with county auditor and recording.

Julie Lammers, City Clerk