

## **CITY OF HAMBURG, MINNESOTA RESOLUTION NUMBER 2025-04**

### **A RESOLUTION APPROVING THE VACATION OF PART OF THE ALLEY PARALLEL TO LOUISA STREET WITHIN THE CITY OF HAMBURG**

**WHEREAS**, the City of Hamburg initiated the process of vacating a certain alley running north/south between 430 Louisa Street (PID 45.7000010) and 440 Louisa Street (45.0750020) within Township 115, Range 026, Section 28, and

**WHEREAS**, the City Council may vacate all or part of public streets, alleys, public ways, drainage and utility easements, and public grounds after a public hearing is held and by the adoption of a resolution provided the Council finds it is in the public interest, and

**WHEREAS**, the city-initiated alley vacation will release the public's right-of-way to the owner of the underlying property, and

**WHEREAS**, the area to be vacated is legally described in the attached Exhibit A.

**WHEREAS**, the City of Hamburg held a public hearing on March 11, 2025, and notice of the public hearing on the proposed vacation was published for two weeks in the newspaper beginning on February 27, 2025, and was posted at City Hall for two weeks ahead of the public hearing.

**WHEREAS**, a notice of the vacation and the public hearing was mailed to all affected property owners at least ten days prior to the hearing.

**THEREFORE, BE IT RESOLVED**, that the City makes the following findings of fact:

1. The foregoing recitals are adopted as findings of fact; and
2. Vacation of the alley described is in the public interest

**THEREFORE, BE IT RESOLVED FURTHER**, that the City Council of the City of Hamburg hereby vacates the alley right-of-way described in the attached Exhibit A, and

**THEREFORE, BE IT RESOLVED FURTHER**, that, pursuant to Minnesota Statutes Chapter 160.29 the vacation of the right-of-way effected by this resolution shall not relinquish or release the easement rights of the City of Hamburg or any private utility to maintain any utility facilities presently located in the portion of the right-of-way to be vacated, or to enter upon the same to maintain, repair, replace, remove, or otherwise attend to such facilities, and

**THEREFORE, BE IT RESOLVED FURTHER**, that the owner shall not alter the grade or change the drainage pattern in the easement area without a permit from the City of Hamburg, and

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**THEREFORE, BE IT RESOLVED FURTHER**, that other than a fence with the written permission of the City and any required permit, no structures or trees shall be constructed or planted within the easement area, and

**THEREFORE, BE IT RESOLVED FURTHER**, that the vacation shall be effective upon the recording of an approved resolution with Carver County, Minnesota.

**I CERTIFY THAT** the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota, on the 11<sup>th</sup> day of March 2025.

  
\_\_\_\_\_  
Chris Lund, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jeremy Gruenhagen, City Clerk/Treasurer

Votes:

Lund	<u>Yes</u>
Polzin	<u>Yes</u>
Poppler	<u>Yes</u>
Tracy	<u>Yes</u>
Weber	<u>Yes</u>

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## EXHIBIT A

### LEGAL DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED

That part of the public alley lying southeasterly of and adjacent to Lot 1, Block 1, TRUWE'S ADDITION TO HAMBURG, Carver County, Minnesota; the northerly limits of the herein described alley vacation shall be the easterly extension of the south line of Sophia Street, as said Street is shown on said plat of TRUWE'S ADDITION TO HAMBURG; the southerly limits of the herein described alley vacation shall be a line drawn southeasterly from the southeast corner of said Lot 1, Block 1, perpendicular to the southeasterly right of way line of said alley being vacated, said right of way also herein described as the northwesterly line of Outlots 2, 3 and 4, Plat of Hamburg, Carver County, Minnesota, and

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