

**BILL NO. 2010-2**

**TRANSITORY ORDINANCE NO. 18.69**

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY EASEMENTS  
(MARKET DRIVE)**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1: The following described lands are subject to the easements as described below for public street right-of-way purposes ("Street Easement"):

That part of Market Drive as dedicated in the plat of STRAND'S SECOND ADDITION TO RICHFIELD, according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of the north line of said Block 2, and its easterly extension thereof, and also which lies northerly of a line drawn parallel with and distant 10.00 feet northerly of the following described line:

Commencing at the southwest corner of Lot 2, Block 1, THE SHOPS AT LYNDALE, according to the recorded plat thereof, Hennepin County, Minnesota; thence North 86 degrees 49 minutes 57 seconds East, assumed bearing along the south line of said Lot 2, 482.89 feet, to the point of beginning of said line to be hereinafter described; thence North 73 degrees 22 minutes 25 seconds East, 48.54 feet; thence easterly, 182.55 feet, along a tangential curve, concave to the south, having a radius of 576.26 feet and a central angle of 18 degrees 09 minutes 01 seconds, to the point of compound curvature; thence easterly, 49.20 feet, along a tangential curve, concave to the south, having a radius of 1628.50 feet and a central angle of 01 degrees 43 minutes 52 seconds, to the point of compound curvature; thence easterly, 57.15 feet, along a tangential curve, concave to the south, having a radius of 582.50 feet and a central angle of 05 degrees 37 minutes 17 seconds, to the southeasterly right-of-way line of said Market Drive as dedicated in said plat of STRAND'S SECOND ADDITION TO RICHFIELD, and said line there terminating.

All in Hennepin County, Minnesota.

Sec. 2: The Street Easement is not open to public travel and is not required for access to the abutting properties.

Sec. 3: There are no City-owned public facilities are located in the Street Easement.

Sec. 4: The City has notified the service providers for gas, electric, telephone, and cable communications services of the proposed vacation, and the following facilities are reported to be located in the Street Easement: Qwest fiber optic lines and conduit, Xcel Energy underground electric facilities.

Sec. 5: The Council finds that there is not a public need for the Street Easement.

Sec. 6. The City of Richfield held the first reading on April 13, 2010 and second reading on April 27, 2010. Legal notice was published in the City's official newspaper as required by ordinance.

Sec. 7: The Street Easement is vacated reserving, however, to the public an easement for underground utilities.

Sec. 8: The vacation of the Street Easement is effective 30 days following publication of the ordinance.

Sec. 9: The City Clerk is directed to prepare a certificate of completion of vacation proceedings and to record the vacation in the office of the Hennepin County Registrar of Titles or Hennepin County Recorder, as appropriate.

Passed by the City Council of the City of Richfield, Minnesota this 27th day of April 2010.

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Debbie Goettel, Mayor

ATTEST:

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Nancy Gibbs, City Clerk