

**SECTION I.            Section 18A VACATIONS:**

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**Subd. 1            Vacation of Public Right of Way and Easements.**

- A. 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.
- B. A vacation may be initiated by:
  - 1. The City Council however, the resolution approving the vacation must be adopted by at least four-fifths (4/5) of all members of the City Council, or
  - 2. The submission of a petition for vacation by the owner (s) of land abutting the property as verified by current tax records from the County. The resolution approving the vacation must be adopted by a majority of all members of the City Council.
- C. If the vacation is initiated by petition, the owner (s) shall submit a completed application for a vacation on a form provided by the City along with the fee established by Resolution No. 2005-058, as may be amended, to be used for City expenses related to the review of the vacation request.
- D. The notice of the public hearing shall be published in the City's official newspaper and mailed to the owner of each abutting property owner a minimum of ten (10) days prior to the hearing. The public hearing notice shall state:
  - 1. the date, time, and location of the hearing before the City Council;
  - 2. a description of the vacation request; and the address or location of the property to be subdivided
- E. Failure to give the notice or any defects in the notice shall not invalidate the proceedings.
- F. Following approval of the resolution, a copy of the vacation resolution prepared in accordance with Minnesota Statutes 412.851, as may be amended, and the resolution shall be filed with the County.