

TAXES PAID, TRANSFER ENTERED  
AND DEED TAX OF \$ 0  
PAID TO DOUGLAS COUNTY  
THIS 31 DAY OF March 2020  
*Jude Thiel*  
DEPUTY AUDITOR/TREAS.

DOC# 416803

RECORDED  
March 31, 2020 12:11 PM  
MARY SKILLINGS  
COUNTY RECORDER  
DOUGLAS COUNTY, MINNESOTA  
FEE: \$46.00

ORDINANCE NO. 824  
2<sup>ND</sup> Series

**AN ORDINANCE VACATING A PORTION OF THE PUBLIC ALLEY LOCATED IN BLOCK 8,  
"AUDITORS PLAT NO. 1"  
AND ESTABLISHING A PERMANENT UTILITY EASEMENT**

*City of  
Alex*

**WHEREAS**, the City has received an application from property owners in Block 8 of "Auditor's Plat No. 1" to vacate a portion of the platted alleyway lying south of the northerly 127.73 feet of said Block 8, and

**WHEREAS**, the City has no need for the platted street for conveyance of vehicles, and

**WHEREAS**, there exist within the said alleyway both or either public and/or private utility lines, and

**WHEREAS**, the applicants for vacation have indicated a willingness to have such utility lines remain in place and to grant an easement allowing such, and

**WHEREAS**, the City's Home Rule Charter requires that street vacations be done by Ordinance, approved by a four-fifths vote of the Council,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALEXANDRIA HEREBY ORDAINS:**

Section I: That the public alleyway lying south of the northerly 127.73 of Block 8, "Auditors Plat NO. 1" is hereby vacated.

Section II. That there is hereby created a permanent utility easement over, under and across the portion of the alleyway as described in Exhibit A attached hereto, for use by the owners, operators and/or their assigns of any publicly or privately owned utilities, including but not limited to water, sanitary sewer, storm water, electricity, telecommunications and natural gas and that this easement shall include the right of the utility owners, operators and/or their assigns to enter upon the property to survey, construct, operate, control, maintain, repair, replace, remove and use said easement for all utility purposes to rebuild the same, and to remove any object which, in the reasonable opinion of said utility owners, operators or assigns, will interfere with said utilities. As a condition of this easement, the owners, operators and/or their assigns shall have the obligation to restore the property subject to this easement to the approximate same condition as existed prior to the commencement of any construction, maintenance or repair hereunder, if restoration is possible.

Section III: That a record of such vacation and easement is to be made in the office of the Douglas County Recorder.

Section IV: This ordinance shall be in full force and effect from and after its passage and publication.

**ADOPTED** by the City Council of the City of Alexandria, Minnesota, this 23<sup>rd</sup> day of March, 2020, by the following vote:

YES: Franzen, Thalman, Osterberg, Jensen

NO: None

ABSENT: Benson

*Sara Carlson*  
Sara Carlson, Mayor

ATTEST: *Marty Schultz*  
Marty Schultz, City Administrator

Exhibit A

**EASEMENT DESCRIPTION:**

An easement for utility purposes over, under and across that part of the alley as shown in Block 8, AUDITOR'S PLAT NO. 1, according to the recorded plat thereof, Douglas County, Minnesota, described as follows:

Beginning at the northeast corner of Lot 3 of said Block 8;

thence on an assumed bearing of North 89 degrees 52 minutes 46 seconds East along the easterly extension of the north line of said Lot 3, a distance of 8.00 feet;

thence South 00 degrees 09 minutes 57 seconds East and parallel with the east line of said Lot 3, a distance of 8.00 feet;

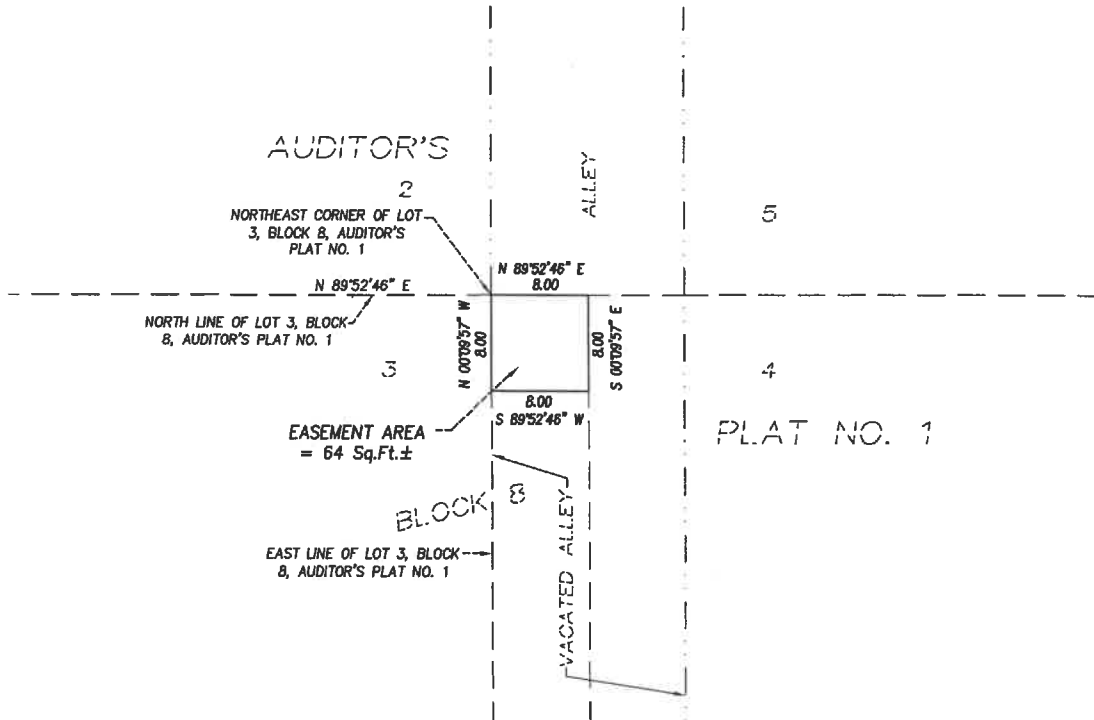
thence South 89 degrees 52 minutes 46 seconds West 8.00 feet to said east line;

thence North 00 degrees 09 minutes 57 seconds West along said east line, 8.00 feet to the point of beginning.

Containing 64 Sq. Ft., more or less.

# SKETCH & DESCRIPTION

STOECKEL-JAHNER SURVEYING FILE NO. 7001-B



**EASEMENT DESCRIPTION:**

An easement for utility purposes over, under and across that part of the alley as shown in Block 8, AUDITOR'S PLAT NO. 1, according to the recorded plat thereof, Douglas County, Minnesota, described as follows:

Beginning at the northeast corner of Lot 3 of said Block 8;

thence on an assumed bearing of North 89 degrees 52 minutes 46 seconds East along the easterly extension of the north line of said Lot 3, a distance of 8.00 feet;

thence South 00 degrees 09 minutes 57 seconds East and parallel with the east line of said Lot 3, a distance of 8.00 feet;

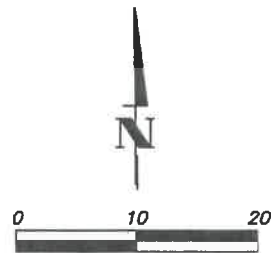
thence South 89 degrees 52 minutes 46 seconds West 8.00 feet to said east line;

thence North 00 degrees 09 minutes 57 seconds West along said east line, 8.00 feet to the point of beginning.

Containing 64 Sq.Ft., more or less.

**SURVEYORS NOTES:**

- 1) A Title Commitment and/or Title Opinion were not provided for the benefit of this survey. Easements may exist which are not shown herein.
- 2) This is not a boundary survey.
- 3) The portion of the alley in Block 8 lying between Lots 3 and 4 is in the process of being vacated.



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

*[Signature]*  
 44493 License No. 09-30-19 Date

PREPARED FOR:

**JEFF RODEL**

**STOECKEL  
 JAHNER**  
 SURVEYING INC.

MARK F. JAHNER - LICENSE NO. 44493  
 1206 3rd Avenue East P.O. Box 366 Alexandria, MN 56308  
 Phone 320-763-6855 Fax 320-763-6341  
 Website: mnsurveying.com Email: mark@mnsurveying.com

SEC, TWP, RANG: 30-128-37  
 DATE: 09-27-19  
 DRAWN BY: DLS  
 CHECKED BY: MFJ  
 FILE NUMBER: 7001-B

Affidavit of Publication  
/STATE OF MINNESOTA )  
County of Douglas ) ss.

Diann Drew, being first duly sworn, on oath states as follows:

1. I am the publisher of the Echo Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

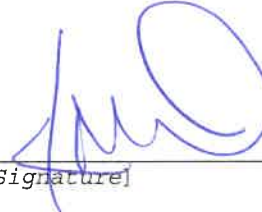
3. The dates of the month and the year and day of the week upon which the Ordinance 824 attached/copied below was published in the newspaper are as follows: Friday, the 3<sup>rd</sup> day of April, 2020

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$28.38.

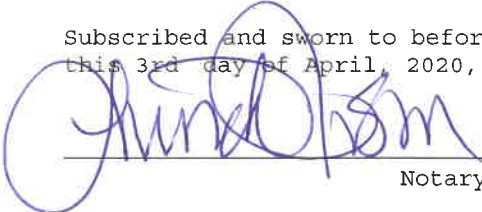
5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Douglas County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.



  
[Signature]

Subscribed and sworn to before me on  
this 3<sup>rd</sup> day of April, 2020, By Diann Drew

  
Notary Public

lying south of the northerly 127.73 of Block 8, "Auditors Plat NO. 1" is hereby vacated.

Section II: That there is hereby created a permanent utility easement over, under and across the portion of the alleyway as described in Exhibit A attached hereto, for use by the owners, operators and/or their assigns of any publicly or privately owned utilities, including but not limited to water, sanitary sewer, storm water, electricity, telecommunications and natural gas and that this easement shall include the right of the utility owners, operators and/or their assigns to enter upon the property to survey, construct, operate, control, maintain, repair, replace, remove and use said easement for all utility purposes to rebuild the same, and to remove any object which, in the reasonable opinion of said utility owners, operators or assigns, will interfere with said utilities. As a condition of this easement, the owners, operators and/or their assigns shall have the obligation to restore the property subject to this easement to the approximate same condition as existed prior to the commencement of any construction, maintenance or repair hereunder, if restoration is possible.

Section III: That a record of such vacation and easement is to be made in the office of the Douglas County Recorder.

Section IV: This ordinance shall be in full force and effect from and after its passage and publication.

**ADOPTED** by the City Council of the City of Alexandria, Minnesota, this 23rd day of March 2020, by the following vote:

YES: Franzen, Thalman, Osterberg, Jensen

NO: None

ABSENT: Benson

/s/Sara Carlson  
Mayor

ATTEST: Marty Schultz  
City Administrator

**Exhibit A**

**EASEMENT DESCRIPTION:**

An easement for utility purposes over, under and across that part of the alley as shown in Block 8, AUDITOR'S PLAT NO. 1, according to the recorded plat thereof, Douglas County, Minnesota, described as follows:

Beginning at the northeast corner of Lot 3 of said Block 8;

thence on an assumed bearing of North 89 degrees 52 minutes 46 seconds East along the easterly extension of the north line of said Lot 3, a distance of 8.00 feet;

thence South 00 degrees 09 minutes 57 seconds East and parallel with the east line of said Lot 3, a distance of 8.00 feet;

thence south 89 degrees 52 minutes 46 seconds West 8.00 feet to said east line;

thence North 00 degrees 09 minutes 57 seconds West along said east line, 8.00 feet to the point of beginning.

Containing 64 Sq. Ft., more or less

2832683

**Ordinance 824**

Publish April 3, 2020

**ORDINANCE NO. 824**

2nd Series

**AN ORDINANCE VACATING A PORTION OF THE PUBLIC ALLEY LOCATED IN CLOCK 8, "AUDITORS PLAT NO. 1" AND ESTABLISHING A PERMANENT UTILITY EASEMENT**

**WHEREAS**, the City has received an application from property owners in Block 8 of "Auditor's Plat No. 1" to vacate a portion of the platted alleyway lying south of the northerly 127.73 feet of said Block 8, and

**WHEREAS**, the City has no need for the platted street for conveyance of vehicles, and

**WHEREAS**, there exist within the said alleyway both or either public and/or private utility lines, and

**WHEREAS**, there exist within the said alleyway both or either public and/or private utility lines, and

**WHEREAS**, the applicants for vacation has indicated a willingness to have such utility lines remain in place and to grant an easement allowing such, and

**WHEREAS**, the City's Home Rule Charter requires that street vacations be done by Ordinance, approved by a four-fifths vote of the Council,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALEXANDRIA HEREBY ORDAINS:**

Section I: That the public alleyway