

**1. Call to Order**

The special meeting was called to order at 7:40 p.m., followed by the Pledge of Allegiance.

Bill Norris, Dennis Sazama, David Taylor and Echo Dockter were present.

The purpose of the special meeting is to consider and act upon the Petition received calling for the vacation of the following described platted right-of-way:

The platted right-of-way (cul-de-sac) adjacent to Lots 1 and 2, Block 1, of Purlieu Beach, Otter Tail County, Minnesota.

There were no public comments on this matter. Bill read the resolution (attached), and made a motion to accept the resolution as written. Dennis seconded the motion and it passed unanimously.

The meeting was adjourned at 7:55 p.m.

STATE OF MINNESOTA )  
 )  
COUNTY OF OTTER TAIL )

**TOWN OF EDNA**

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**RESOLUTION VACATING A TOWN ROAD**

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The Petition for the vacation of the platted road hereinafter referred to and described came on to be heard by the undersigned Town Board on the 19<sup>th</sup> day of July, August, 2014, at 7:30 p.m., at the Edna Town Hall in said Township; and said Board, having examined said road and heard all parties interested and considered the same, finds as follows:

1. That said Petition for vacating the Town Road pursuant to Minn. Stat. 164.07 was properly filed with the Town Clerk, and the property to be directly affected by said Petition is that which abuts the platted right of way to be vacated, Lot 1, Block 1, of Purlieu Beach, which is owned by Darren Koelln and Janelle Koelln, and Lot 2, Block 1, of Purlieu Beach, which is owned by Darren Koelln and Michelle Johnson.
2. That the point of beginning, general course and point of termination of the road proposed to be terminated is legally described as:  
  
The platted right of way (cul-de-sac) adjacent to Lots 1 and 2, Block 1, of Purlieu Beach, Otter Tail County, Minnesota.
3. That it has been made to appear to the satisfaction of this Board by affidavits and otherwise that said Order was served by mailed notice on each owner of land within the Plat of Purlieu Beach at least ten (10) days before the hearing on said Petition, and that ten (10) days posted notice thereof has been given, to which affidavits and proofs reference is hereby made as a part hereof.
4. That said Petition was signed by not less than eight (8) voters of said Town who own real estate, or occupy real estate under the homestead or preemption laws or under contract with the state, within three miles of the plated road proposed to be vacated therein described and is, in all things, regular and according to law.

5. That the Town Board and interested persons, at the time and place of hearing, viewed the right of way proposed for vacation pursuant to Minn. Stat. 164.07, Subd. 3, and held a hearing at the Town Hall at which evidence was presented regarding the Petition, and the same considered by the Town Board.
6. That based upon the testimony and evidence provided at the hearing the Town Board determined:
  - A. That the portion of public right of way which is proposed to be vacated was never opened, constructed or accepted by any road authority, has never been maintained for public use, and is useless for the purpose for which it was laid out. The public right of way is not necessary or useful. The retention of the platted right of way is redundant and unnecessary.
  - B. That it is the intent of the adjacent landowners to utilize the vacated cul-de-sac for residential use, the same which would generate additional property tax revenue for Edna Township.

**NOW, THEREFORE, THE TOWN BOARD DETERMINES:**

1. That no public purpose is served by the retention of the public right of way above described.
2. That the vacation of the described platted right of way is in the public interest, as it will allow the abutting landowners to more fully develop their property for residential purposes to the benefit of the landowners and the public through payment of property taxes.
3. That for the aforementioned reasons the vacation of this platted road as a public right of way is in the best interests of the public and the Petition for Vacation is therefore granted.

**THE BOARD FURTHER DETERMINES:**

1. That no consideration regarding drainage is necessary under Minn. Stat. 164.07, Subd. 3a, as there are no lateral ditches and no drainage currently afforded by the platted roadway to be vacated.

**NOW, THEREFORE, BE IT RESOLVED,** That the Town Board of Edna Township, Otter Tail County, Minnesota, hereby vacates that right of way described as follows, to-wit:

The platted right of way (cul-de-sac) adjacent to Lots 1 and 2, Block 1, of Purlieu Beach, Otter Tail County, Minnesota.

**BE IT FURTHER RESOLVED**, That the Town Board Chair and Town Board Clerk are hereby authorized and directed to execute and record a Town Road Order vacating said platted right of way and to record the same with the County Recorder of Otter Tail County, Minnesota.

**BE IT FINALLY RESOLVED**, That the Town Board Clerk is hereby directed to provide a copy of this Resolution by U.S. Mail to the affected landowners, and make any other notices which may be required by Minnesota Statute.

Adopted this 19th day of August, 2014, by the following vote:

TOWN SUPERVISOR	YES	NO
<u>William Norris</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Dennis SACAMA</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DAVE Taylor</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Edw J. Docker  
Town Board Clerk

EDNA TOWN BOARD  
[Signature]  
Town Board Chair