

**POLICY: VACATION OF PUBLIC LANDS LEADING TO PUBLIC WATER**

ORIGINAL ADOPTION: 11/24/15

REFERENCE NO. ADMIN-003

REVIEWED/UPDATED: NA

PURPOSE & SCOPE

This policy is intended for situations where the City has been asked to vacate or release, sell or convey city-owned public lands, including roads, streets, alleys, and fire lanes, public easements that abut commons, park, road or street right-of-way which extends to or terminates at public waters.

The City Council makes the following findings of fact:

1. Specifically, road accesses provide access to Commons or similar type property that extend to public water including Lake Minnetonka and is counted in the City's overall shoreline count for the City Dock Program's license with the Lake Minnetonka Conservation District (LMCD).
2. Road accesses or similar right-of-way or easements are used by neighborhoods and by the general public to gain access to public waters, including, but not limited to Lake Minnetonka.
3. Platted roads or similar property (i.e. park, commons, etc.) that may not be currently improved, may be needed at some time in the future for right-of-way or utilities construction corridor purposes.
4. The Minnesota Department of Natural Resources (MN DNR) typically supports that public access to public water be maintained for current and future overall enjoyment by the general public.
5. The public benefit of putting property back on the tax rolls is a high threshold and often the parcels are not buildable/sufficient size for redevelopment without additional variances.
6. The City Council recognizes that significant time and resources can be devoted to these requests by the application.

For these reasons, the City Council disfavors requests to vacate, release, or convey city-owned public lands. The City of Mound desires to maintain these types of properties for the overall public good of the City including maintaining the dock program and to provide for current and future public access to and use of public water.

This policy does not prohibit an application made pursuant to the provisions in Minnesota Statutes Section 412.851.