STREET OR EASEMENT VACATION INFORMATION

2415 Wilshire Boulevard, Mound, MN 55364
Phone 952-472-0600 FAX 952-472-0620

Minnesota State Statute 412.851 VACATION OF STREETS. The Council may by resolution vacate any street, alley, public grounds, public right-of-way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting the street, alley, public grounds, public way, or part thereof to be vacated. When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the Council. **No such vacation shall be made unless it appears in the interest of the public to do so** after a hearing preceded by two weeks published and posted notice. In addition, if the street, alley, public grounds, public way, or any part thereof terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition or proposed resolution is served by certified mail upon the commissioner of natural resources at least 60 days before the hearing on the matter. The notice under this subdivision is for notification purposes only and does not create a right of intervention by the commissioner of natural resources. After the resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceeding that shall contain the name of the city, an identification of the vacation, a statement of the time of completion thereof and description of real estate and lands affected thereby. The notice shall be presented to the county auditor who shall enter the same in the transfer records and note upon the instrument, over official signature, the works entered in the transfer record. The notice shall then be filed with the county recorder. Any failure to file the notice shall not invalidate any such vacation proceedings.

REQUIRED SUBMITTALS

1. Accurately completed application form, including name, address and day phone of both applicant and owner. Also any fees and escrow deposit as indicated on the application form.
2. A certified list of all property owners within 350 feet of the subject property and one set of mailing labels from Hennepin County Property Division will be required. City staff will assist you in obtaining this list. The applicant will be responsible for the payment of any fees charged by Hennepin County for this service.
3. **CURRENT CERTIFICATE OF SURVEY**: 2 copies drawn to-scale and one copy 8-/2” x 11” (may be reduced). **Survey must include all of the items listed on the City of Mound Survey Requirements.** Also include the legal description of the area to be vacated.
4. For vacation of a right-of-way, the applicant must show that there is no public need for the access to be retained for a public purpose.
5. Surveyor to submit proposed legal descriptions in electronic form to SarahSmith@cityofmound.com

COMPLETE / INCOMPLETE APPLICATIONS

An incomplete application will delay the processing of land use requests. The application approval time commences and an application is considered officially filed when City staff has received and examined the application and determined that the application is complete. The decision as to whether the application is complete or incomplete shall be made within fifteen (15) business days following submittal of the application. When the application is deemed to be "complete" it shall be placed on the agenda of the first possible Planning Commission meeting occurring approximately thirty (30) days from the date of official submission of the application.

PAYMENT OF FEES

Before this request can be considered, all required information and fees (including all deposits) must be paid to the City in advance. If additional fees are required to cover costs incurred by the City, the City Manager has the right to require additional payment from one or more of the applicants, who shall be jointly liable for such fees. Such expenses may include (but are not limited to) direct city payroll and overhead costs, fees paid to consultants and other professionals, and the cost of printing, mailing and supplies. The City may withhold final action on a land use application and/or rescind prior action until all miscellaneous fees have been paid.

Land Use Application Outstanding Balances (Effective 12/13/05)

Any and/or all outstanding balances from an applicant must be paid before a new land application from that applicant will be accepted and deemed to be complete. Any and/or all outstanding balances from a previous application seeking the same type of approvals involving the same parcel must be paid before the new application will be accepted and deemed complete.

ESCROW / BILLING POLICY

Applicants are advised that an escrow deposit is required at the time of the submittal of the development application to offset costs associated with the proposed project. The amount of the escrow may be determined based upon the estimated costs of the project.

The City of Mound will provide a quarterly billing of all itemized charges that have been incurred. Remaining escrow monies will be returned after written request to the City, no sooner than 60 days after release of the resolution for filing.

ABOUT THE MEETINGS

On the Thursday just prior to the Monday Planning Commission meeting, a copy of staff's recommendation and a copy of the agenda for that meeting will be mailed to the applicant and owner. Property owners abutting subject property will also be notified of your application.

2020 Meeting Dates and Application Deadlines

Application Deadline	Planning Commission 1st Tuesday at 7:00 p.m.	City Council 4th Tuesday at 7:00 p.m.
Dec 2	Jan 7	Jan 28
Jan 2	Feb 4	Feb 25
Feb 3	Mar 3	Mar 24
Mar 2	Apr 7	Apr 28
Apr 1	May 5	May 26
May 1	Jun 2	Jun 23
Jun 1	Jul 7	Jul 28
Jul 1	Aug 18 (rescheduled)	Aug 4
Aug 3	Sep 1	Sep 22
Sep 1	Oct 6	Oct 27
Oct 1	Nov 17 (rescheduled)	Nov 24
Nov 2	Dec 1	Dec 22
Dec 1	Jan 5 (2021)	Jan 26 (2021)
Jan 4 (2021)	Feb 2 (2021)	Feb 23 (2021)

THE APPLICANT OR A DULY AUTHORIZED AGENT MUST BE PRESENT AT THE PLANNING COMMISSION AND CITY COUNCIL MEETINGS TO ANSWER QUESTIONS.

The Planning Commission is an advisory body to the City Council. The City Council makes all final decisions. The Planning Commission will review the application at an informal public hearing and make a recommendation to the City Council. The City Council will then hold a public hearing and approve or deny the application.

Application deadline is 12:00 p.m., the first business day of each month prior to the scheduled Planning Commission meeting (i.e. January 1 for February meeting). The Planning Commission Board of Appeals meets on the first Tuesday of each month at 7:00 p.m. at City Hall.

2020 Fees

Application fee: $350
Escrow Deposit: $1000

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VACATION APPLICATION

Application Fee and Escrow Deposit required at time of application.

Planning Commission Date _____ Case No. _____

City Council Date _____

Please type or print clearly

APPLICANT	Name_____ **Email** _____ Address_____ Phone (Home)_____(Work)_____(Cell)_____ E-Mail Address _____ Fax _____
ADJACENT PROPERTY (APPLICANT'S PROPERTY)	Adjacent Address_____ Name of Business _____ Lot_____ Block_____ Subdivision_____ PID#_____
ZONING DISTRICT	Circle: R-1 R-1A R-2 R-3 B-1 B-2 B-3
AREA TO BE VACATED	_____ _____
REASON FOR REQUEST	_____ _____
IS THERE A PUBLIC NEED FOR THIS LAND?	_____ _____

I certify that all of the statements above and statements contained in any required papers or plans to be submitted herewith are true and accurate. I acknowledge that I have read all of the information provided and that **I am responsible for all costs incurred by the City related to the processing of this application.**

_____	_____	_____
Print Applicant's Name	**Applicant's Signature**	**Date**
_____	_____	_____
Print Applicant's Name	**Applicant's Signature**	**Date**