CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 775

AN ORDINANCE VACATING CERTAIN CITY RIGHT OF WAY
ADJACENT TO 339 BARRY AVE S

WHEREAS, Gatehouse Properties, Ltd., (the “Applicant”) has submitted a development application (the “Application”) for multiple land use approvals to redevelop the properties located at 259, 269 and 275 Lake St E and 339 Barry Ave S, involving the demolition of the existing commercial buildings on the properties, and construction of a new three story mixed use building, consisting of office and retail uses and 18 residential condominiums (the “Project”); and

WHEREAS, the Application was approved by the Wayzata City Council pursuant to City Council Resolution No. 39-2017, subject to certain conditions therein, including the vacation of certain easements necessary for the Project (the “Condition”);

WHEREAS, the Applicant has submitted an application (the “Application”) related to the Condition, requesting the City of Wayzata to vacate a portion of the street, utility and sidewalk easement adjacent to the 339 Barry Ave, as depicted and legally described on the attached Exhibit A (the “City Right of Way”); and

WHEREAS, notice of a public hearing on the City Right of Way vacation request was published and provided to the owners of neighboring properties affected by the vacation; and

WHEREAS, the City Council of the City of Wayzata, pursuant to Section 70 of the Wayzata City Charter, has conducted such public hearing on September 19, 2017, and all persons present at said public hearing were given the opportunity to be heard.

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Vacation. The City Right of Way depicted on the attached Exhibit A is hereby vacated as of the Effective Date.

Section 2. Effective Date. Unless repealed earlier, this ordinance shall be in full force and effect on September 19, 2018, after its passage and publication according to law, and its proper recordation by Applicant with the Hennepin County Surveyor’s Office and provision to the City of proof of such recordation.
Adopted by the unanimous affirmative vote of all the members of the City Council of Wayzata, Minnesota this 19th day of September, 2017.

__________________________________
Mayor Ken Willcox

ATTEST:

__________________________________
City Manager Jeffrey Dahl

First Reading: October 17, 2017
Second Reading:
Publication:
Effective Date: September 19, 2018

__________________________________
City Clerk Becky Malone
SEAL
Exhibit A

An easement for street right of way, utility and sidewalk purpose over, under and across the east 15.00 feet of Lot 13, Auditor’s Subdivision No. 184, Hennepin County, Minnesota.