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**RESOLUTION 2009-01
VACATING A TOWN ROAD**

WHEREAS, the Town Board of Lynden Township, Stearns County, Minnesota received a petition calling for the vacation of the following described road pursuant to Minn. Stat. § 164.07:

An undeveloped platted road bounded by Lots 1-3, Block 4, Clearwater Harbor

WHEREAS, said petition was signed by not less than eight voters of the 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 road;

WHEREAS, the road passes adjacent to the following described tracts of land in Stearns County, Minnesota, owned by the following named owners:

<u>Owners</u>	<u>Description of Land</u>
Pamela E. Sullivan Trust	Lots 1-3, Block 4 Clearwater Harbor, Section 32 P.I.D. # R19.10671.000

WHEREAS, the town board conducted a public hearing on the petition on the 16th day of March, 2009, after personal and posted notice provided by the petitioners pursuant to Minn. Stat. § 164.07, subd. 2, and published notice provided by the town board;

WHEREAS, the petitioners presented the town board with affidavits at the hearing as proof that the required notice was given;

WHEREAS, the town board examined the road, heard the interested parties, and considered the matter;

WHEREAS, the town board determined that the petitioned for action is consistent with the public interest;

WHEREAS, the town board has examined the ditches lateral to the road and determined that said ditches are not essential for surface drainage of adjacent lands or highways in support of the general health and welfare of the public;

WHEREAS, the Owners, Pamela E. Sullivan Trust, have released in writing all claims for damages from such vacation;

NOW, THEREFORE, BE IT RESOLVED, that the town board of Lynden Township, Stearns County, Minnesota hereby vacates a town road legally described as follows:

An undeveloped platted road bounded by Lots 1-3, Block 4, Clearwater Harbor

