

RESOLUTION NO. 2016-4

A RESOLUTION TO VACATE AN ALLEY

WHEREAS, petitioners, Timothy W. Salmen and Elizabeth A. Salmen, Patrick C. Mullen and Elizabeth G. Mullen, and the Madison United Methodist Church, by and through its authorized officers, have filed in writing to the City Commission of the City of Madison, a petition to vacate an alley:

A platted alley running east and west between Block Thirteen (13) of Kennedy's Extension to Madison, SD, on the North and Lots Five (5), Six (6) and Seven (7) in Block Two (2) of Town Proprietor's First Addition to Madison, Lake County, SD, as set forth in 'Exhibit A' filed with said Petition for Vacation of Alley and on file at the Finance Office.

WHEREAS, petitioners state that reason for vacation is they are the only abutting land owners to the alley and that access can be granted to all surrounding properties, either by Harth Avenue on the East, or the platted alley on the West and that there will be no detriment to the public convenience by the vacation of this alley; and

WHEREAS, the City Commission fixed the 28th day of March at 5:35pm in City Hall, Madison, South Dakota as the time and place for a hearing on said petition and due notice of said hearing was duly published according to law; and

WHEREAS, no public opposition was received at said hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That a platted alley running east and west between Block Thirteen (13) of Kennedy's Extension to Madison, SD, on the North and Lots Five (5), Six (6) and Seven (7) in Block Two (2) of Town Proprietor's First Addition to Madison, Lake County, SD, as set forth in 'Exhibit A' filed with said Petition for Vacation of Alley and on file at the Finance Office as set forth above be hereby vacated, subject to a utility easement vested in and retained by the City of Madison over, upon and under the vacated property. In addition, the petitioners shall not erect or construct any building or other structure with a fixed location on the ground, plant any tree or bushes, nor change grades over existing facilities within said vacated property without written permission of the Electric Utility Director or Superintendent.

Dated this 28th day of March, 2016.

CITY OF MADISON

ATTEST:



Finance Officer



Mayor

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