

Filed this 23

day of August 2017

Hau Shoum

County Auditor/Treas.
Benton County, MN

By Deputy Auditor/Treas. DG

**TOWN OF WATAB
COUNTY OF BENTON
STATE OF MINNESOTA**

RESOLUTION NO. 2017-13

424684

Legislated, Filed and Recorded on
August 23, 2017 3:16 PM

BENTON COUNTY MINNESOTA
CHERYL L. KANTOR
COUNTY RECORDER

By: KB

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FEE AMOUNT \$46.00

**RESOLUTION APPROVING THE ALTERATION OF
95th STREET IN THE TOWN OF WATAB**

WHEREAS, the electorate of the Town of Watab has authorized the alteration of 95th Street by acquiring right of way to realign the road way to improve its safety; and

WHEREAS, the alteration to 95th Street is described as follows:

Permanent Right of Way Easement:

A perpetual roadway easement over under and through that part of Lot 5, Block 1, LAKEWOOD SHORES, Benton County, Minnesota, lying 33.00 feet on each side of the following described centerline:

Commencing at the North Quarter corner of Section 15, Township 37, Range 31, Benton County, Minnesota; thence North 89 degrees 41 minutes 10 seconds West, along the north line of the Northwest Quarter of said Section 15, a distance of 910.72 feet; thence North 00 degrees 18 minutes 50 seconds East a distance of 3.34 feet to the point of beginning of the centerline being described; thence South 89 degrees 25 minutes 28 seconds East a distance of 104.03 feet; thence North 89 degrees 43 minutes 53 seconds East a distance of 839.50 feet; thence southeasterly 81.15 feet along a non-tangential curve concave to the southwest, having a radius of 500.00 feet, a central angle of 9 degrees 17 minutes 58 seconds, a chord length of 81.06 feet and a chord bearing of South 85 degrees 40 minutes 15 seconds East; thence southeasterly 75.65 feet along a tangential curve concave to the northeast, having a radius of 500.00 feet, a central angle of 8 degrees 40 minutes 09 seconds, a chord length of 75.58 feet and a chord bearing of South 85 degrees 21 minutes 21 seconds East to the north line of the Northeast Quarter of said Section 15; thence South 89 degrees 41 minutes 26 seconds East, a distance of 861.74 feet; thence northeasterly 236.57 feet along a tangential curve concave to the northwest, having a radius of 500.00 feet, a central angle of 27 degrees 06 minutes 32 seconds, a chord length of 234.37 feet and a chord bearing of North 76 degrees 45 minutes 18 seconds East; thence

Pat Spence
Watab Township

North 63 degrees 12 minutes 02 seconds East, a distance of 169.22 feet; thence northeasterly 141.94 feet along a tangential curve concave to the southeast, having a radius of 300.00 feet, a central angle of 27 degrees 06 minutes 32 seconds, a chord length of 140.62 feet and a chord bearing of North 76 degrees 45 minutes 18 seconds East; thence South 89 degrees 41 minutes 26 seconds East a distance of 680.37 feet.

The sidelines of said roadway easement shall be prolonged or shortened to terminate on the west right of way line of US Trunk Highway No. 10 and at lines perpendicular to said centerline at the point of beginning.

WHEREAS, the Town Board has determined that altering said road would be in the public interest; and

WHEREAS, the Town Board of Supervisors have previously viewed the road proposed to be altered prior to convening the public hearing to consider the alteration; and

WHEREAS, the Town Board ordered a public hearing to hear all interested parties and to act upon said alteration at 7 p.m. on the 1st day of August, 2017, at the Watab Town Hall.

WHEREAS, all legal requirements regarding giving notice have been satisfied; and

WHEREAS, the Town Board did meet on the 1st day of August, 2017, at the Watab Town Hall and has examined the road proposed to be altered and heard all parties interested therein;

NOW, THEREFORE, the Town Board of the Town of Watab, Benton County, Minnesota, hereby orders:

1. 95th Street is hereby altered via the acquisition of permanent easement legally described as follows:

A perpetual roadway easement over under and through that part of Lot 5, Block 1, LAKEWOOD SHORES, Benton County, Minnesota, lying 33.00 feet on each side of the following described centerline:

Commencing at the North Quarter corner of Section 15, Township 37, Range 31, Benton County, Minnesota; thence North 89 degrees 41 minutes 10 seconds West, along the north line of the Northwest Quarter of said Section 15, a distance of 910.72 feet; thence North 00 degrees 18

minutes 50 seconds East a distance of 3.34 feet to the point of beginning of the centerline being described; thence South 89 degrees 25 minutes 28 seconds East a distance of 104.03 feet; thence North 89 degrees 43 minutes 53 seconds East a distance of 839.50 feet; thence southeasterly 81.15 feet along a non-tangential curve concave to the southwest, having a radius of 500.00 feet, a central angle of 9 degrees 17 minutes 58 seconds, a chord length of 81.06 feet and a chord bearing of South 85 degrees 40 minutes 15 seconds East; thence southeasterly 75.65 feet along a tangential curve concave to the northeast, having a radius of 500.00 feet, a central angle of 8 degrees 40 minutes 09 seconds, a chord length of 75.58 feet and a chord bearing of South 85 degrees 21 minutes 21 seconds East to the north line of the Northeast Quarter of said Section 15; thence South 89 degrees 41 minutes 26 seconds East, a distance of 861.74 feet; thence northeasterly 236.57 feet along a tangential curve concave to the northwest, having a radius of 500.00 feet, a central angle of 27 degrees 06 minutes 32 seconds, a chord length of 234.37 feet and a chord bearing of North 76 degrees 45 minutes 18 seconds East; thence North 63 degrees 12 minutes 02 seconds East, a distance of 169.22 feet; thence northeasterly 141.94 feet along a tangential curve concave to the southeast, having a radius of 300.00 feet, a central angle of 27 degrees 06 minutes 32 seconds, a chord length of 140.62 feet and a chord bearing of North 76 degrees 45 minutes 18 seconds East; thence South 89 degrees 41 minutes 26 seconds East a distance of 680.37 feet.

The sidelines of said roadway easement shall be prolonged or shortened to terminate on the west right of way line of US Trunk Highway No. 10 and at lines perpendicular to said centerline at the point of beginning.

2. The Town Board hereby determines that the alteration of said road has caused damage to abutting property owners in the amounts as follows:
 - a. Thomas M. Hanks & Joni M. Babinski-Hanks, 1601 11th Avenue South, Minneapolis, MN 55401-1744; damage in the amount of \$1,100.00.
3. The Town Board hereby directs the Township Clerk to cause service of the Notice of Damage Award by mail upon the following landowners within seven days of the filing of the damage award with the Town Clerk:
 - a. Thomas M. Hanks & Joni M. Babinski-Hanks, 1601 11th Avenue South, Minneapolis, MN 55401-1744

Passed this 1st day of August, 2017.

Pat Spence
Pat Spence, Clerk

Craig Gondeck
Craig Gondeck, Chairman