



Carlton County Auditor/Treasurer

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RESOLUTION NO. 23-044

BY COMMISSIONER: Bodie

ADOPTED: May 9, 2023

WHEREAS, the County Board previously approved the relocation of a segment of County State Aid Highway 8, running along a portion of the west and north lines of the NE1/4 of Section 16, Township 46, Range 16, Carlton County, Minnesota, said old portion of C.S.A.H. 8 being referred to herein as Old County Road 8; and

WHEREAS, the new segment of C.S.A.H. 8 has taken the place of and serves the same purpose as the segment of Old County Road 8 which it has replaced, and the County therefore wishes to vacate that portion of Old County Road 8, as it runs in a northerly/southerly direction along the west line of the NE1/4 of said Section 16 and in an easterly/westerly direction along the north line of the NE1/4 of said Section 16, legally described as follows:

See attached Exhibit A.
and,

WHEREAS, a public hearing to consider the vacation of Old County Road 8 was held on the 2nd day of May, 2023, before the County Board in the Carlton County Transportation Building located at 1630 County Road 61, Carlton, Minnesota at 4:30 pm, after due notice had been given as required under the statute, and all interested and affected persons that appeared were given an opportunity to voice their concerns and be heard; and,

WHEREAS, any person, corporation or public body, including the County of Carlton, owning or controlling easements or public services contained upon the property or crossing the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and,

WHEREAS, the County Board in its discretion has determined that the vacation will benefit the public interest because that portion of Old County Road 8 has been replaced by C.S.A.H. 8 which serves that same purpose for which Old County Road 8 was originally laid out, which now only serves as access to three private parcels of land; and,

WHEREAS, the owners of said three private parcels of land need continued access to their properties from said Old County Road 8 following the vacation thereof, and have requested that the County reserve a private access easement to their property over a portion of said Old County Road 8 by designating a portion of Old County Road 8 to be a county cartway/private driveway;

NOW THEREFORE, IT IS HEREBY RESOLVED that the County Board of the County of Carlton, State of Minnesota, adopts this resolution for vacation, vacating that portion of Old County Road 8 described on the attached Exhibit A, and reserving therefrom and designating a portion of said vacated road to be a county cartway and private driveway, as described on the attached Exhibit A, and further reserving

a utility easement over and right of access for all public utilities installed within said vacated right of way.

BE IT FURTHER RESOLVED, in furtherance of the foregoing, that the Board Chair and County Auditor are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Upon motion by Bodie, seconded by Peterson, and carried, the above resolution was adopted.

Yea votes: Bodie, Brenner, Peterson, and Proulx
Nay votes: None
Absent: Zmyslony

I, Kevin DeVriendt, Auditor/Treasurer of the County of Carlton, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 9th day of May, 2023 and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE in Carlton, Minnesota, this 9th day of May, 2023.



Kevin DeVriendt
Carlton County Auditor/Treasurer

Exhibit A

Description of Road to be Vacated, Designation of a portion as a County Cartway, And Utility Easement Reserved

That part of Old County Road 8, being a strip of land 33.00 feet wide on each side of the below described centerline.

East/West Portion (Vacation):

Commencing at the Northeast Corner of Section 16, Township 46 North, Range 16 West, Carlton County, Minnesota; thence South 89 degrees 53 minutes 23 seconds West 232.43 feet to the Westerly right of way line of CSAH 8 and the Point of Beginning; thence North 89 degrees 40 minutes 13 seconds West 2048.59 feet and there terminating;

North/South Portion (Vacation and Cartway Designation):

Commencing at the Northeast Corner of Section 16, Township 46 North, Range 16 West, Carlton County, Minnesota; thence South 89 degrees 53 minutes 23 seconds West 232.43 feet to the Westerly right of way of CSAH 8; thence North 89 degrees 40 minutes 13 seconds West 2048.59 feet to the Point of Beginning; thence South 89 degrees 40 minutes 13 seconds West 130.59 feet; thence 387.55 feet along a non-tangential curve left, having a radius of 245.00 feet with a central angle of 90 degrees 38 minutes 0 seconds, and a chord bearing of South 43 degrees 20 minutes 35 seconds West; thence South 1 degrees 6 minutes 5 seconds East 953.04 feet to the Northerly right of way line of CSAH 8 and there terminating; DESIGNATING HOWEVER, said portion of vacated Old County Road 8, as a county cartway and private driveway serving those properties adjacent thereto;

RESERVING HOWEVER, over both vacated portion of Old County Road 8 a utility easement running in favor of any person, corporation or public body, including the County of Carlton, owning or controlling easements for public services contained under over or upon said vacated road, reserving the right to continue maintaining the same or to enter upon such way or portion thereof, to maintain, repair, replace or otherwise attend thereto.