



# Carlton County Auditor/Treasurer

**Kevin DeVriendt**  
*Auditor/Treasurer*

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## \*\*\*RESOLUTION NO. 23-045\*\*\*

BY COMMISSIONER: Peterson

ADOPTED: May 9, 2023

WHEREAS, the County Board previously approved the relocation of a segment of County State Aid Highway 3, known as the Carlton Road, located in the SE1/4 of SW1/4 and SW1/4 of SE1/4 of Section 36, Township 49, Range 17, Carlton County, Minnesota, said old portion of Carlton Road being renumbered as an extension of County Road 107, known as Old Carlton Road; and

WHEREAS, the railroad crossing on Old Carlton Road was subsequently vacated creating two dead end road segments out of Old Carlton Road located on either side of the railroad right of way for the Great Northern Railroad, now BNSF Railroad, the segment of Old Carlton Road located easterly of the railroad right of way now being known as Kampground Road; and

WHEREAS, the new segment of Carlton Road has taken the place of and serves the same purpose as the segment of Old Carlton Road which it has replaced, and the County therefore wishes to vacate that portion of Old Carlton Road (County Road 107) known as Kampground Road, located easterly of the railroad right of way, as it runs in a southeasterly/northwesterly direction between the northerly right of way line of Carlton Road (relocated C.S.A.H. 3) and the easterly right of way line of the BNSF railroad, legally described as follows:

See attached Exhibit A.  
and,

WHEREAS, a public hearing to consider the vacation of Kampground Road 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has determined that the vacation will benefit the public interest because that portion of Old Carlton Road has been replaced by Carlton Road (relocated C.S.A.H. 3) which serves that same purpose for which Old Carlton Road was originally laid out, which with the vacation of the railroad crossing 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 Kampground Road following the vacation thereof, and have requested that the County

reserve a public access easement to their property over said Kampground Road by designating Kampground Road to be a county cartway; and

WHEREAS, at least four-fifths of all members of the County Board concur in this resolution;

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 Carlton Road (County Road 107) known as Kampground Road described on the attached Exhibit A, and reserving therefrom and designating said vacated road to be a County Cartway, and further reserving a utility easement over and right of access for all public utilities installed within said 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.

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Upon motion by Peterson, seconded by Proulx, 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 as a County Cartway, And Utility Easement Reserved**

That part of County Road 107, known as Old Carlton Road, also known as Kampground Road, being a strip of land 33.00 feet wide on each side of the below described centerline.

Commencing at the South Quarter corner of Section 36, Township 49, Range 17 in Carlton County Minnesota, thence along section line on an assumed bearing of South 89 degrees 17 minutes 08 seconds East a distance of 112.49 feet;

Thence, at a right angle, North 00 degrees 42 minutes 52 seconds East a distance of 83.39 feet to the northerly right of way line of C.S.A.H. 3 and The Point of Beginning of the centerline description herein described;

Thence continuing along said line, North 00 degrees 42 minutes 52 seconds East a distance of 19.50 feet;

Thence 115.36 feet along a curve concave to the southwest having a radius of 124.99 feet, a central angle of 52 degrees 52 minutes 55 seconds, and a chord 111.31 feet in length which bears North 26 degrees 11 minutes 40 seconds West.

Thence North 53 degrees 03 minutes 41 seconds West a distance of 859.64 feet, more or less, to the existing railroad right of way and there terminating;

DESIGNATING HOWEVER, said vacated portion of County Road 107, known as Old Carlton Road, also known as Kampground Road, as a County Cartway; AND RESERVING THEREFROM, 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 county cartway, 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.