**Declaring Sufficiency of Petition and Setting a Public Hearing, LMC Model Resolution**

*League staff thoughtfully develops models for your city’s consideration. Models should be customized as appropriate for an individual city’s circumstances in consultation with the city’s attorney. Helpful background information on this model may be found in the Information Memo “[Vacation of City Streets.](https://www.lmc.org/resources/vacation-of-city-streets/)”*

**This icon marks places where the city must customize the model. They offer additional provisions, optional language, or comments for your consideration. The icon, and language you do not wish to include, should be deleted from this model before use. Make other changes, as needed, to customize the model for your city.**

**RESOLUTION NO.** \_\_\_\_\_

**A RESOLUTION DECLARING SUFFICIENCY OF PETITION AND SETTING A PUBLIC HEARING ON THE PROPOSED VACATION OF** \_\_\_\_\_ **STREET**

**WHEREAS,** a petition signed by the majority of property owners abutting \_\_\_\_\_ *[a portion of]* street in \_\_\_\_\_ city was received by the City Clerk on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_; and

**WHEREAS,** the petition requested that the City Council pursuant to Minnesota Statute §412.851 vacate \_\_\_\_\_ *[a portion of]* street between \_\_\_\_\_ street and \_\_\_\_\_street legally described as:

*Insert the legal description here. The description of the street to be vacated should be complete enough to prevent any possible uncertainty or ambiguity. In some cases, particularly where only a portion of a public street or grounds will be vacated, a legal description may be necessary.*

**WHEREAS**, the City Clerk has reviewed and examined the signatures on said petition and determined that such signatures constitute a majority of the landowners abutting upon the *[portion of]* street to be vacated; and

*See Section I-A-1, “Starting a Street Vacation” of the memo* [*“Vacation of City Streets”*](https://www.lmc.org/media/document/1/vacationofcitystreets.pdf?inline=true) *for a discussion of the legal requirements relating to abutting landowners’ signatures.*

**WHEREAS,** a copy of said petition is attached hereto.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, MINNESOTA AS FOLLOWS:

The City Council will consider the vacation of such street and a public hearing shall be held on such proposed vacation on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, in the City Hall located at \_\_\_\_\_ at \_\_\_\_\_ *[a.m./p.m.].* and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Passed by the City Council of \_\_\_\_\_\_\_, Minnesota this \_\_\_\_\_ day of Month, Year.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Attested:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk