

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 436

DATE: March 30, 2005

Version: Second engrossment

Authors: McNamara and Hoppe

Subject: DNR notice of vacation of town road, city street, or plat

Analyst: Deborah A. Dyson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Section

- 1** **Hearing; notice (town roads).** Requires the petitioners to notify the commissioner of natural resources that they petitioned the town board to vacate a road that terminates at, abuts, or, under this bill, is adjacent to any public water, at least 60 days before the hearing, increased from 30 days. At least 15 days before the hearing, the commissioner's representative must evaluate: (1) the public benefits of the proposed road vacation; (2) the present and potential use of the land for public water access; and (3) the impact of a vacation on conservation of natural resources. After the evaluation, the commissioner's representative must notify the town board or its designee of the results.
- 2** **Vacation of streets (statutory cities).** Requires the city council to notify the commissioner of natural resources of a proposal to vacate a street, alley, or public way that terminates at, abuts, or, under this bill, is adjacent to any public water, least 60 days before the hearing, increased from 30 days. At least 15 days before the hearing, the commissioner's representative must evaluate: (1) the public benefits of the proposed road vacation; (2) the present and potential use of the land for public water access; and (3) the impact of a vacation on conservation of natural resources. After the evaluation, the commissioner's representative must notify the city council or its designee of the results.
- 3** **Vacation (of plats).** Requires notice to the commissioner of natural resources of a proposal to vacate a plat if part of the vacation is a road or street that terminates at, abuts or, under this bill, is adjacent to any public water, at least 60 days before the hearing, increased from 30 days. Provides that notice creates a right for the commissioner to intervene. Under current law, there is no right to intervene.