

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2015 – 06

A RESOLUTION AUTHORIZING THE SALE OF CITY PROPERTY

WHEREAS, the City of Lake Elmo has full title and ownership rights to the following legally described public park land:

Tract C, Registered Land Survey No. 98, Washington County, Minnesota;

and

WHEREAS, a portion of said public park located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

That part of Tract C, REGISTERED LAND SURVEY NO. 98, Washington County, Minnesota:

Beginning at the most westerly corner of Lot 2, Block 4, DEMONTREVILLE HIGHLANDS, said Washington County; thence North 76 degrees 00 minutes 57 seconds East (assumed bearing) along the northerly line of said Lot 2 a distance of 163.36 feet to an angle point along said northerly line; thence North 46 degrees 13 minutes 09 seconds East 24.89 feet to the most northerly corner of said Lot 2; thence North 42 degrees 33 minutes 28 seconds West 63.00 feet; thence South 52 degrees 23 minutes 58 seconds West 168.98 feet to the point of beginning.

(the “Property”); and

WHEREAS, the City Council of the City of Lake Elmo has determined that the conveyance of the Property is necessary to eliminate potential liability of the City for improper placement of a private structure on public land; and

WHEREAS, the City Council of the City of Lake Elmo has further determined that the conveyance of the Property is necessary to correct the title of lands adjacent to the Property, and the Property is not needed for any City purpose, is landlocked, and has minimal value; and

WHEREAS, the pool encroachment is a unique occurrence and has created extreme circumstances for the property owner that do not otherwise apply to other properties in the community. The sale of this public land therefore does not create a precedent for such property transfers in the future; and

WHEREAS, the lot line adjustment and subsequent transfer of property is the reasonable, minimal amount to bring the pool into conformance with City subdivision and zoning regulations.

WHEREAS, the negotiated purchase price for the property has been based on the market value estimate provided by the City Assessor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo that the City Administrator be and hereby is authorized to execute the necessary deeds and documents to transfer the title to the property to David and Mary Blinkoff.

This Resolution shall become effective immediately upon its passage and without publication.

ADOPTED THIS THIRD DAY OF FEBRUARY, 2015

Mike Pearson, Mayor

Attest:

Adam Bell, City Clerk