

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

RESOLUTION NO. 2018-112

*A RESOLUTION APPROVING THE PURCHASE OF OUTLOT F, ST. CROIX'S SANCTUARY
AND APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND
THE SANCTUARY OF LAKE ELMO HOMEOWNERS ASSOCIATION REGARDING THE
CONVEYANCE THEREOF*

WHEREAS, in 2005, the plat of "St. Croix's Sanctuary" was approved by the City and recorded in Washington County, Minnesota (the "Subdivision"); and

WHEREAS, the Subdivision consists of numerous residential lots and outlots; and

WHEREAS, Outlot F of the Subdivision contains the community septic system for the residential lots of the Subdivision and all homes within the Subdivision use the system; and

WHEREAS, Outlot F of the Subdivision ("Outlot F") was owned by Sanctuary LLC which was operated by Case Arkel, the original developer of the Subdivision; and

WHEREAS, Outlot F was not conveyed by Sanctuary LLC to Sanctuary of Lake Elmo Homeowners Association ("Sanctuary HOA") and eventually went into tax forfeiture; and

WHEREAS, Outlot F will be auctioned off by Washington County unless the City is able to purchase Outlot F prior to it being sold to the public; and

WHEREAS, Sanctuary HOA has requested that the City purchase Outlot F from Washington County and then convey it to Sanctuary HOA; and

WHEREAS, a portion of Outlot F will be needed by the City in the future for right-of-way purposes; and

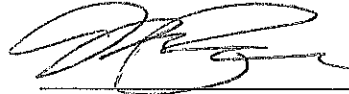
WHEREAS, the City is willing to purchase Outlot F and convey it to Sanctuary HOA provided that Sanctuary HOA enter into a memorandum of understanding regarding the conveyance of Outlot F by the City to the HOA and the reconveyance of a portion of Outlot F by Sanctuary HOA to the City in the event that it is needed for right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Memorandum of Understanding between the City and Sanctuary HOA is hereby approved.
2. Upon execution of the Memorandum of Understanding by both parties, the City will purchase Outlot F from Washington County and pay any fees associated with the

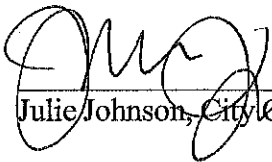
purchase. The purchase price for Outlot F shall not exceed \$10,000 and fees from Washington County shall not exceed \$409 for a total expense of \$10,409.

Passed and duly adopted this 2nd day of October, 2018 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk