

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

RESOLUTION NO. 2021 - 076

*A RESOLUTION APPROVING SECOND AMENDMENT TO DEVELOPMENT AGREEMENT
FOR ROYAL GOLF CLUB AT LAKE ELMO 1ST ADDITION*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Royal Development Inc., 11074 Radisson Road NE, Blaine, MN 55449 (the "Applicant") has previously submitted an application to the City of Lake Elmo (the "City") for a final plat for Royal Golf Club at Lake Elmo 1st Addition; and

WHEREAS, the Lake Elmo City Council adopted Resolution No. 2017-093 on September 5, 2017 approving the final plat for Royal Golf Club at Lake Elmo 1st Addition; and

WHEREAS, the Lake Elmo City Council adopted Resolution No. 2017-096 on September 19, 2017, approving the Development Agreement for Royal Golf Club at Lake Elmo 1st Addition; and

WHEREAS, the Lake Elmo City Council adopted Resolution No. 2018-028 on March 20, 2018, approving a First Amendment to the Development Agreement for Royal Golf Club at Lake Elmo 1st Addition; and

WHEREAS, the Applicant and City have agreed to amend Section 28 (G) of the approved Development Agreement so the Developer may make the required \$1,000,000 cash donation to the City Parks fund either before the City issues any building permits for the 3rd Addition OR all or a portion of the 3rd Addition is conveyed by Royal Development to another developer, whichever comes first; and


WHEREAS, the Applicant and the City also have agree to amend Section 28 (H) of the approved Development Agreement regarding the Developer's payment to the City of a cash contribution of \$75,000 for the future maintenance costs of all three lift stations (\$25,000/each) that will be serving the Subdivision and its subsequent phases; and

WHEREAS, the Section 28 (H) Agreement required the Developer to make a cash contribution to the City of \$50,000 for the first two phases prior to the City signing the final plat for the Subdivision; and

WHEREAS, the proposed Amendment to Section 28 (H) will require the Developer to pay the City the remaining \$25,000 cash contribution for the third lift station prior to the City signing the final plat for the third phase of the development and the Developer also shall be responsible for constructing the lift stations and the costs of construction.

NOW, THEREFORE, based on the information received, the City Council of the City of Lake Elmo does hereby approve the Second Amendment to Development Agreement for Royal Golf Club at Lake Elmo 1st Addition and authorizes the Mayor and City Clerk to execute the agreement.

Passed and duly adopted this 6th day of July 2021 by the City Council of the City of Lake Elmo, Minnesota.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk