

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

**RESOLUTION NO. 2023-064  
A RESOLUTION APPROVING A LAND EXCHANGE AGREEMENT WITH DRAKE  
MOTOR PARTNERS LE LLC**

**WHEREAS**, the City owns certain property located in the City of Lake Elmo, Minnesota, which is legally described on Exhibit A attached hereto (the “**City Parcel**”); and

**WHEREAS**, Drake Motor Partners LE LLC (“**Drake**”) owns certain property located in the City of Lake Elmo, Minnesota, which is legally described on Exhibit B attached hereto (the “**Drake Parcel**”); and

**WHEREAS**, the parties wish to exchange the parcels by conveying them to one another;  
and

**WHEREAS**, the transaction does not constitute a business subsidy under the Business Subsidy Act; and


**WHEREAS**, pursuant to Minnesota Statutes Section 462.356, subdivision 2, the City Council finds that the proposed exchange has no direct relationship with the Comprehensive Plan; and

**NOW, THEREFORE, BE IT RESOLVED,**


1. That the City Council hereby approves the Land Exchange Agreement in substantially the form presented to the City Council, subject to modifications that do not alter the substance of the transaction and that are approved by the Mayor and City Clerk, provided that execution of the Land Exchange Agreement by those officials shall be conclusive evidence of their approval.
2. City officials, staff, and consultants are authorized to take all actions necessary to perform the City’s obligations under the Land Exchange Agreement as a whole, including without limitation, execution of any documents to which the City is a party referenced in or attached to the Land Exchange Agreement, and of any deed or other documents necessary for the City Parcel to be conveyed by the City to Drake, as described in the Land Exchange Agreement.
3. No sign permits, or other permits, shall be issued on the parcel to be conveyed to Drake until a Comprehensive Plan Amendment and related Rezoning of the parcels is complete.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE 20<sup>TH</sup> DAY OF JUNE, 2023.**

**CITY OF LAKE ELMO**

By:   
Charles Cadenhead  
Mayor

(Seal)  
ATTEST:

  
Julie Johnson  
City Clerk

## EXHIBIT A

### Legal Description of the City Parcel

That part of Parcel 33B, Minnesota Department of Transportation Right of Way Plat No. 82-43, Washington County, Minnesota, described as follows:

Commencing at the most westerly corner of Lot 1, Block 1, EBERTZ ADDITION, said Washington County; thence South 46 degrees 03 minutes 26 seconds East, plat bearing, along the southwesterly line of said Lot 1; a distance of 46.59 feet to the Point of Beginning; thence continuing South 46 degrees 03 minutes 26 seconds East, along said line, a distance of 61.42 feet to the south line of said Parcel 33B; thence South 89 degrees 54 minutes 66 seconds West, along last said line, a distance of 44.15 feet to a line bearing South 00 degrees 05 minutes 44 seconds East from the Point of Beginning; thence North 00 degrees 05 minutes 44 seconds West, a distance of 42.69 feet to the Point of Beginning.

## **EXHIBIT B**

### **Legal Description of the Drake Parcel**

Lot 1, Block 1, EBERTZ Addition, Washington County, Minnesota, except that part lying west of the following described line: Commencing at the most westerly corner of said Lot 1, thence South 46 degrees 03 minutes 26 seconds East, plat bearing, along the southwesterly line of said Lot 1, a distance of 46.59 feet to the Point of Beginning of the line to be described; thence North 00 degrees 05 minutes 44 seconds West, a distance of 56.76 feet to the northwesterly line of said Lot 1 and there terminating.