

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

RESOLUTION NO. 2024-081

***A RESOLUTION RATIFYING THE VACATION OF A CITY ROADWAY EASEMENT
AND APPROVAL OF THE PEANUT POPPY'S RANCH MINOR SUBDIVISION***

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

WHEREAS, on April 2, 2024, the City Council passed and adopted Resolution No. 2024-039 which approved the vacation of the City's Roadway Easement on 47th Street North as described in Document No. 613428 ("Roadway Easement"), and approved the minor subdivision of Peanut Poppy's Ranch with the following findings of fact:

- That the Peanut Poppy's Ranch minor subdivision and easement vacation is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area;
- That the Peanut Poppy's Ranch minor subdivision and easement vacation is consistent with future development plans of the area and with standards of the City's agriculture zoning district;
- That the Peanut Poppy's Ranch minor subdivision meets the requirements of the City's minor subdivision regulations and specifically the requirements concerning exceptions to platting; and

WHEREAS, the notice of the public hearing was published, posted, and mailed as required by law, and the public hearing was held on the proposed vacation and on the minor subdivision application by the Lake Elmo Planning Commission on February 26, 2024; and

WHEREAS, the Lake Elmo Planning Commission recommended the approval of the minor subdivision and of the vacation of the Roadway Easement with certain conditions;

WHEREAS, Resolution No. 2024-039 contained a scrivener's error naming a different minor subdivision when approving the minor subdivision of Peanut Poppy's Ranch; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby ratify its approval of the Peanut Poppy's Ranch minor subdivision subject to the following conditions:

1. The applicant Lucy Wegscheider ("Applicant") must obtain all other necessary City, state, and other governing body permits and approvals prior to release of the plat for recording.

2. The City Attorney's comments set forth in the plat opinion shall be addressed prior to release of the plat for recording.
3. The Applicant shall record the plat within 180 days after the date of adoption of this Resolution and provide proof of recording to the City. If not recorded within 180 days, approval of the minor subdivision shall be considered void, unless a request for a time extension is submitted in writing and approved by the City Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Lake Elmo that the Roadway Easement is hereby vacated.

Passed and duly adopted this 2nd day of July, 2024, by the City Council of the City of Lake Elmo, Minnesota.



Mayor Charles Cadenhead

ATTEST:



Julie Johnson, City Clerk