

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

RESOLUTION NO. 2025-019

***RESOLUTION VACATING THREE DRAINAGE AND UTILITY EASEMENTS IN
RELATION TO THE DPS 3RD ADDITION PLAT***

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

WHEREAS, the City of Lake Elmo conditionally approved a revised DPS 3rd Addition Final Plat on November 19, 2024 through Resolution 2024-120; and

WHEREAS, the City of Lake Elmo received a request from Roers Companies, a limited liability company (the "Applicant"), to vacate three Drainage and Utility Easements identified as Document Numbers 3694047, 3694048, and 3694049, recorded with the Washington County Recorder (the "Drainage and Utility Easements"); and

WHEREAS, the portions of the property encumbered by the Drainage and Utility Easements will be encumbered by larger easements that will be dedicated to the City in the plat of DPS Lake Elmo 3rd Addition; and

WHEREAS, vacation of the Drainage and Utility Easements will bring the DPS 3rd Addition Plat into conformance with the City Attorney's Plat Opinion dated November 14, 2024; and

WHEREAS, pursuant to Minnesota Statutes Section 412.851, the City scheduled a public hearing for March 4, 2025, to consider the proposed vacation of the Drainage and Utility Easements; and

WHEREAS, notice of the public hearing was posted, published in the City's official newspaper, and mailed to the owners of affected properties, all in accordance with law; and

WHEREAS, the City held the public hearing on the proposed vacations on March 4, 2025, at which hearing all interested parties were heard; and

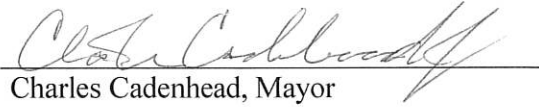
WHEREAS, following the public hearing, the City determined that the vacation of the Drainage and Utility Easements is in the public interest because replacement easements will be dedicated to the City in the DPS Lake Elmo 3rd Addition final plat; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo as follows:


1. The City hereby declares that the Drainage and Utility Easements are vacated upon the following conditions being satisfied:
 - a. The recording of the plat of DPS Lake Elmo 3rd Addition that includes the replacement right-of-way and drainage and utility easements as required by the City.

2. Upon satisfaction of all of the above conditions, the City Clerk or their designee is authorized and directed to prepare and present to the Washington County Auditor a notice that the City has completed these vacation proceedings and record with Washington County Recorder the notice of completion of the vacation proceedings.

Passed and duly adopted this 4th day of March, 2025 by the Lake Elmo Minnesota City Council.


Charles Cadenhead, Mayor

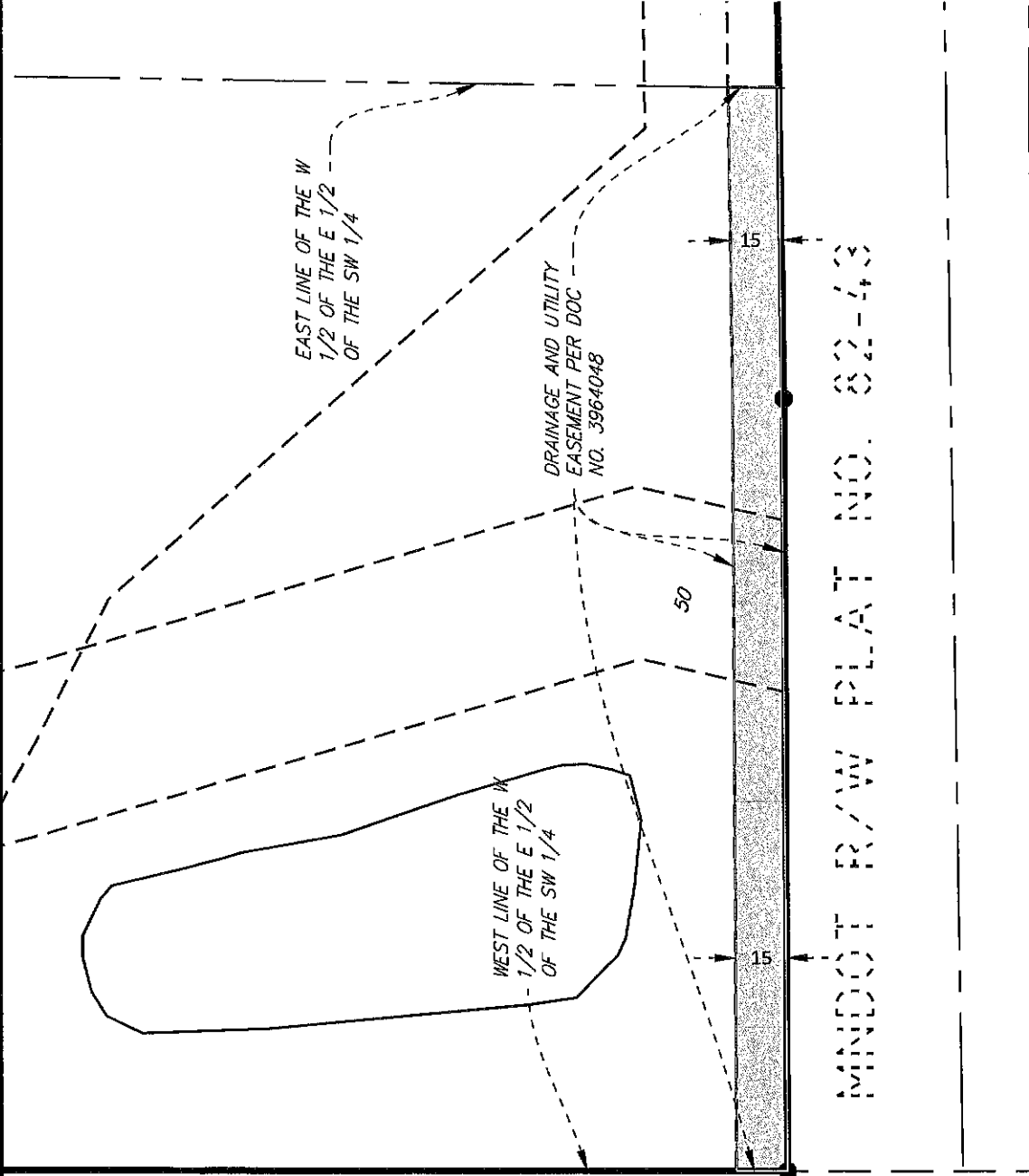
ATTEST:


Julie Johnson, City Clerk

DESCRIPTION

A perpetual easement for public drainage and utility purposes over, under and across the south 15.00 feet of the following described property:

That part of the West Half of the East Half of the Southwest Quarter of Section 34, Township 29, Range 21, Washington County, Minnesota, lying north of the north line of Minnesota Department of Transportation Right of Way Plat 82-43, except the south 675.00 feet of the west 333.00 feet of said East Half of the Southwest Quarter.



EASEMENT
VACATION



NORTH

0 50



Document No. 3964048 Easement Vacation

SHEET

1

Roers
DPS Lake Elmo
Lake Elmo, Minnesota

PROJECT NO: 53062



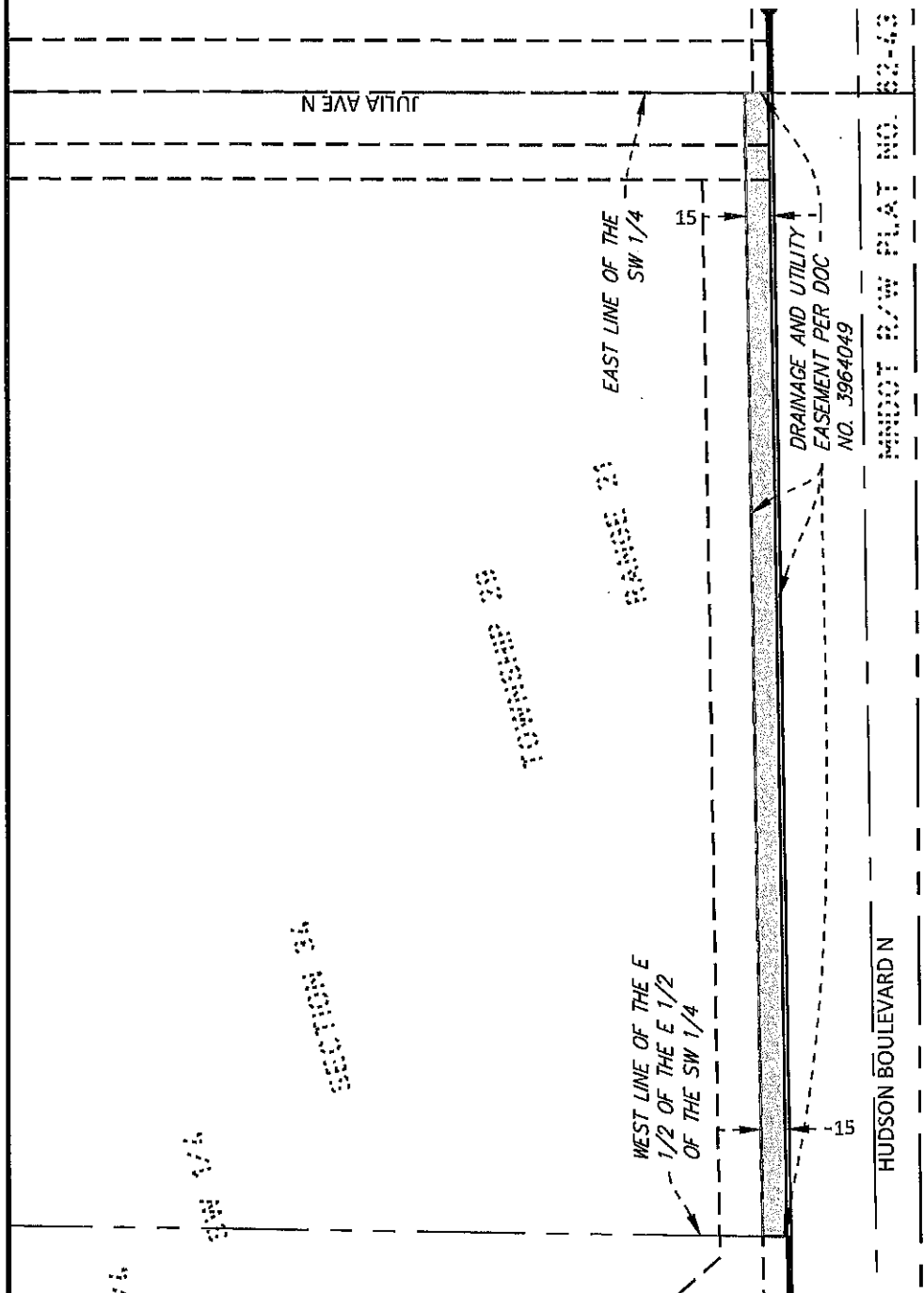
Engineering | Surveying | Planning | Environmental

DRAWN BY:	DA
DESIGNED BY:	
CHECKED BY:	MS
ISSUED:	01/16/2025
REVISION:	
REV DATE:	

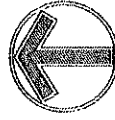
DESCRIPTION

A perpetual easement for public drainage and utility purposes over, under and across the south 15.00 feet of the following described property:

That part of the East Half of the East Half of the Southwest Quarter of Section 34, Township 29, Range 21, Washington County, Minnesota, lying north of the north line of Minnesota Department of Transportation Right of Way Plat 82-43.



EASEMENT VACATION



NORTH

0 100



SCALE IN FEET

Document No. 3964049 Easement Vacation

SHEET

1

Roers

DPS Lake Elmo

Lake Elmo, Minnesota

PROJECT NO: 53062

DRAWN BY:	DA
DESIGNED BY:	
CHECKED BY:	MS
ISSUED:	01/16/2025
REVISION:	
REV DATE:	

Sambatek
www.sambatek.com
 Engineering | Surveying | Planning | Environmental

DESCRIPTION

A perpetual easement for public drainage and utility purposes over, under and across the south 10.00 feet of the west Half of the Southeast Quarter of Section 34, Township 29 North, Range 21 West, except that part thereof previously conveyed by deed recorded in Book 166 of Deeds, page 22, in the office of the Washington County Recorder, legally described as follows: Beginning at the intersection of the east line of said West Half with the north line of Minnesota Trunk Highway No. 12 as then laid out and established per deeds recorded in Book 108 of Deeds, page 586 and Book 111 of Deeds, page 206 in the office of the Washington County Recorder; thence running North along said East line 217.8 feet; thence West on a line parallel to said North line of said Highway No. 12 200 feet; thence South on a line parallel to said east line of said West Half 217.8 feet to said north line of said Highway No. 12; thence East along said north line of Highway No. 12, 200 feet to the point of beginning.

Also except Parcel 29C as shown on Minnesota Department of Transportation Right of Way Plat No. 82-43 recorded in the office of the Washington County Recorder as Document No 429592.

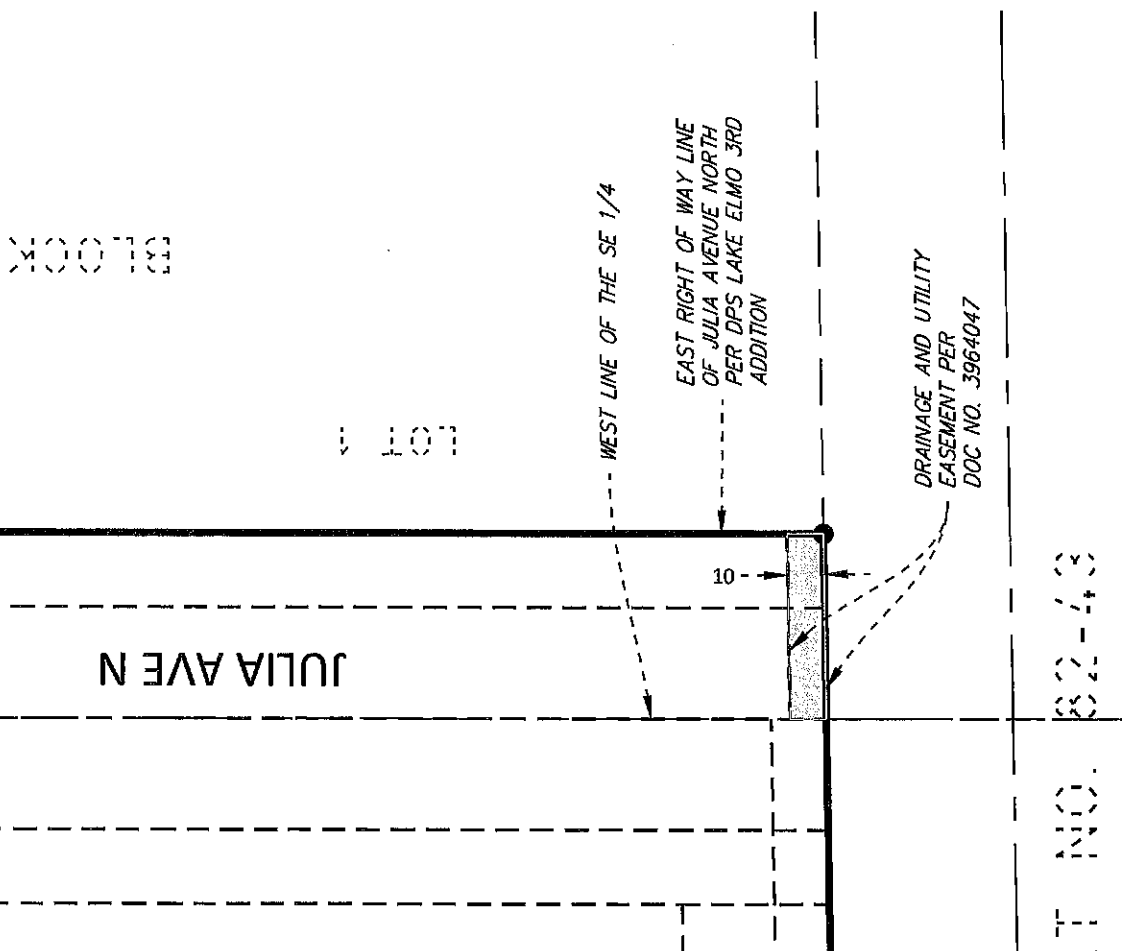
Which lies within Julia Avenue North as dedicated on the plat of DPS LAKE ELMO 3RD ADDITION.



NORTH



EASEMENT
VACATION



Document No. 3964047 Easement Vacation

SHEET

1

Roers
DPS Lake Elmo
Lake Elmo, Minnesota

PROJECT NO: 53062

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Engineering | Surveying | Planning | Environmental

DRAWN BY:	DA
DESIGNED BY:	
CHECKED BY:	MS
ISSUED:	01/16/2025
REVISION:	
REV DATE:	

DPS LAKE ELMO 3RD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS, That Neura Lake Elmo Apartments, LLC, a Minnesota limited liability company, owner of the following described property, situated in the County of Washington, State of Minnesota, to wit:

Parcel 8, DPS LAKE ELMO, according to the recorded plat named, WASHINGTON COUNTY, MINNESOTA

Has caused the same to be surveyed and platted as DPS LAKE ELMO 3RD ADDITION and does hereby dedicate to the public for public use forever the public way as shown on this plat and also dedicates the drainage and utility easements as created by this plat.

In witness whereof said Neura Lake Elmo Apartments, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

Signed before me at _____, Minnesota limited liability company

By: _____
 Its: Executive Vice President
 STATE OF MINNESOTA
 COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____ by _____ by _____, Secretary of the company, _____, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____, County, _____, Notary Personal Name
 My Commission Expires _____

I, Mark R. Sain, do hereby certify that this plat was prepared by me or under my direct supervision (I am a duly Licensed Land Surveyor in the State of Minnesota) that this plat is a correct representation of the boundary survey; that all mathematical data and bearings are correctly designated on this plat and measurements depicted on this plat were taken by me or under my direct supervision (I am a duly Licensed Land Surveyor in the State of Minnesota) and that all other data, bearings and distances shown and labeled on the plat and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Mark R. Sain, Licensed Land Surveyor, Minnesota License No. 63858

STATE OF MINNESOTA
 COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____ by Mark R. Sain, Licensed Land Surveyor.

Notary Public, _____, County, Minnesota
 My Commission Expires _____, Notary Personal Name

CITY COUNCIL, CITY OF LAKE ELMO, STATE OF MINNESOTA

This plat of DPS LAKE ELMO 3RD ADDITION was approved and accepted by the City Council of the City of Lake Elmo, Minnesota at a regular meeting thereof held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.05, Subd. 2.

City Council, City of Lake Elmo, Minnesota

By: _____
 Clerk

COUNTY AUDITOR/TREASURER, COUNTY OF WASHINGTON, STATE OF MINNESOTA

In witness whereof, I, _____, Treasurer and Auditor of the County of Washington, Minnesota, Section 505.021, Subd. 11, the plat has been released and approved this _____ day of _____, 20____.

By: _____
 Washington County Surveyor

COUNTY AUDITOR/TREASURER, COUNTY OF WASHINGTON, STATE OF MINNESOTA

In witness whereof, I, _____, Treasurer and Auditor of the County of Washington, Minnesota, Section 505.021, Subd. 11, the plat has been released and approved this _____ day of _____, 20____.

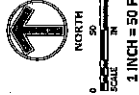
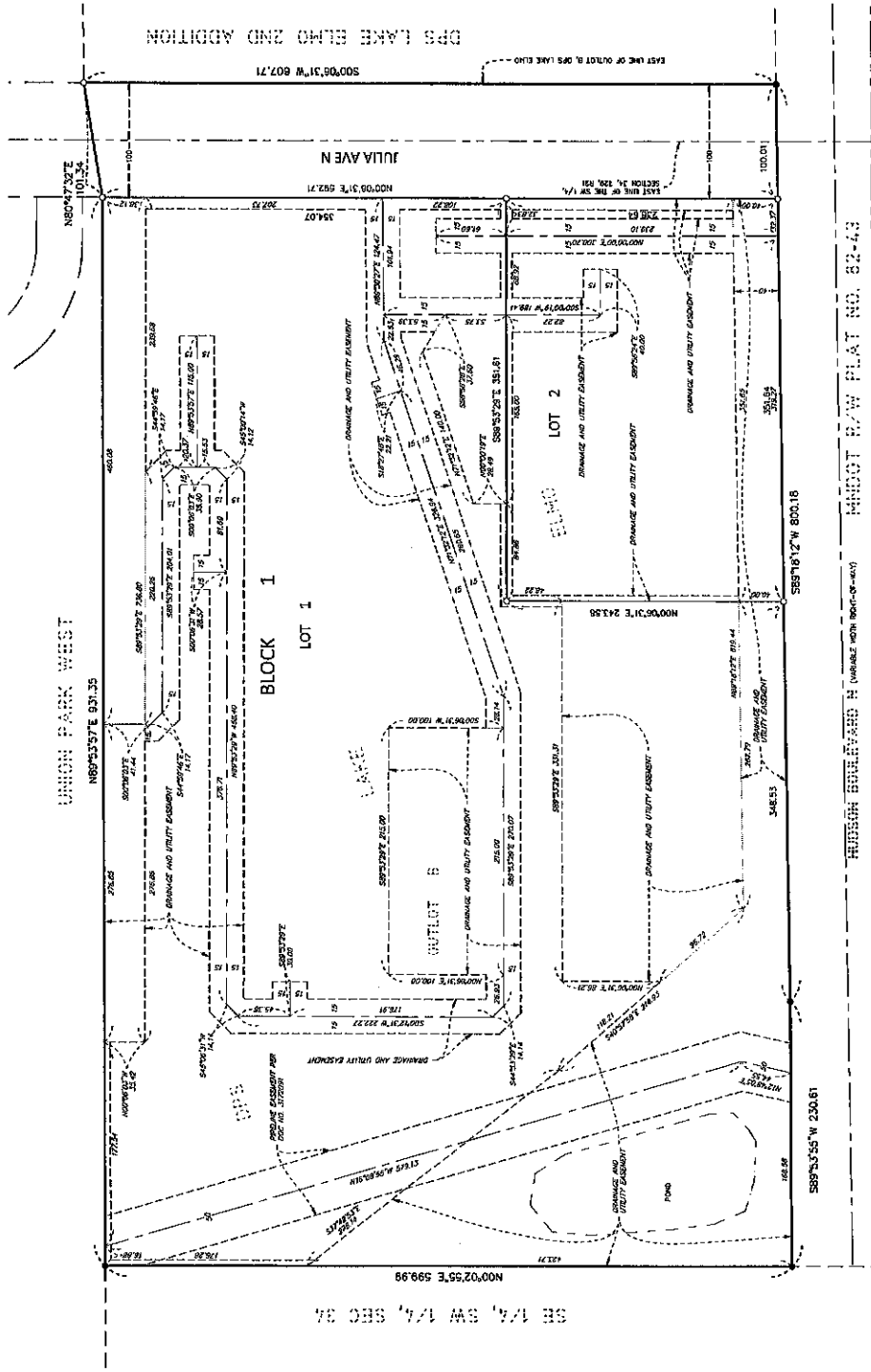
By: _____
 Washington County Auditor/Treasurer

COUNTY RECORDER, COUNTY OF WASHINGTON, STATE OF MINNESOTA

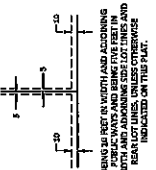
In witness whereof, I, _____, Recorder of the County of Washington, Minnesota, Section 505.021, Subd. 11, the plat has been recorded and indexed in the office of the County Recorder for record on this _____ day of _____, 20____. At _____, Minn. and was duly recorded in Washington County Records, Document Number _____.

By: _____
 Washington County Recorder

DPS LAKE ELMO 3RD ADDITION



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:
(NOT TO SCALE)



- DRENCHES 12 INCH BY 14 INCH IRON MONUMENT SET AND MARKED BY LICENSE NO. 4383
 - DRENCHES 12 INCH BY 14 INCH IRON MONUMENT FOUND AND MARKED BY LICENSE 4430 OR AS NOTED.
- THE SITE HAS AN OUTLET TO THE LAKE ELMO WASHINGTON COUNTY, MINNESOTA AS SHOWN TO THE RECORDS OF PLAT NUMBER 82-43. THE SITE IS LOCATED IN THE 2ND SECOND WEST

