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RESOLUTION NO. 93-56

**A RESOLUTION GRANTING A MINOR SUBDIVISION TO
DAVID N. HERREID AND LAKE ELMO INN, INC.**

WHEREAS, Section 401.042 of the Lake Elmo Municipal Code allows sets for the standards for minor subdivisions, and

WHEREAS, David N. Herreid and Lake Elmo Inn, Inc. have met the requirements for minor subdivisions; and

WHEREAS, the Lake Elmo Planning Commission considered this request at its June 14, 1993 meeting and unanimously recommended that the following described parcels be granted a subdivision:

PARCEL A: (David N. Herreid)

Lot 6, County Auditor's Plat No. 8, according to the plat thereof on file and of record in the office the County Recorder, Washington County, Minnesota, Section 13, Township 29 North, Range 21 West.

PARCEL B: (Lake Elmo Inn, Inc.)

Lot 5, County Auditor's Plat No. 8, except the westerly 150 feet thereof, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota, Section 13, Township 29 North, Range 21 West

NOW, THEREFORE, be it resolved that the above described parcels shall be subdivided as follows based on the following findings of fact:

1. The applicants meet the criteria set forth in Section 401.042 relating to minor subdivisions.
2. The purpose of this minor subdivision is so that lot line adjustments can be made to correct survey errors.

PARCEL A: (David N. Herreid)

All that part of the Southwest Quarter of Section 13, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, which is also known as part of Lot 5 and Lot 6, COUNTY AUDITOR'S PLAT NO. 8, according to the plat thereof, on file and of record in the Office of the County Recorder, Washington, Minnesota, described as follows:

PARCEL A (Continued)

Commencing at the northeast corner of Block 2, ELMO PARK, according to the plat thereof, on file and of record in the Office of the County Recorder, Washington County, Minnesota; thence North 00 degrees 53 minutes 57 seconds West, assumed bearing, along the west line of Lake Elmo Avenue North, a distance of 67.00 feet to the point of beginning of the parcel of land to be described; thence continuing North 00 degrees 53 minutes 57 seconds West, along said west line of Lake Elmo Avenue North, a distance of 37.74 feet; thence South 71 degrees 44 minutes 52 seconds West, parallel with the north line of said Block 2, ELMO PARK, a distance of 82.74 feet; thence South 03 degrees 20 minutes 26 seconds East, a distance of 16.42 feet; thence North 86 degrees 39 minutes 34 seconds East, a distance of 78.34 feet to the point of beginning.

AND

A vacated portion of 34th Street North in the City of Lake Elmo recorded by Document Number 719033 on file in the Office of the County Recorder, Washington County, Minnesota, and described as follows:

All that part of the Southwest Quarter of Section 13, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, which is also known as part of COUNTY AUDITOR'S PLAT NO. 8, according to the plat thereof, on file and of record in the Office of the County Recorder, Washington County, Minnesota, described as follows:

Commencing at a point on the west line of the road leading from ELMO PARK, as surveyed and platted and now of record in the Office of the County Recorder in and for said Washington County, north to Stillwater and St. Paul Road, 104.74 feet north along said road from the northeast corner of Block Two of said ELMO PARK; thence South 71 degrees 44 minutes 52 seconds West, assumed bearing, parallel with the north line of said Block Two, ELMO PARK, a distance of 42.15 feet to a point which shall hereinafter be called point "A" for purposes of this description; thence continuing South 71 degrees 44 minutes 52 seconds West, a distance of 12.92 feet; thence northerly, deflecting to the right 104 degrees 45 minutes 19 seconds, a distance of 3.31 feet to the point of beginning of the parcel of land to be described; thence westerly, deflecting to the left 89 degrees 53 minutes 47 seconds, a distance of 1.60 feet; thence southerly, deflecting to the left 90 degrees 06 minutes 13 seconds, a distance of 3.73 feet to its intersection with a point that bears South 71 degrees 44 minutes 52 seconds West from said point "A"; thence North 71 degrees 44 minutes 52 seconds East, a distance of 14.57 feet to said point "A"; thence South 86 degrees 36 minutes 24 seconds West, a distance of 12.50 feet to the point of beginning.

PARCEL A (Continued)

This parcel is together with a 5.00 foot wide easement for maintenance and overhang purposes over and across that part of said Lot 5, COUNTY AUDITOR'S PLAT NO. 8, described as follows:

Commencing at the northeast corner of said Block 2, ELMO PARK; thence North 00 degrees 53 minutes 57 seconds West, assumed bearing, along the west line of Lake Elmo Avenue North, a distance of 104.74 feet; thence South 71 degrees 44 minutes 52 seconds West, parallel with the north line of said Block 2, ELMO PARK, a distance of 82.74 feet; thence South 03 degrees 20 minutes 26 seconds East, a distance of 16.42 feet; thence North 86 degrees 39 minutes 34 seconds East, a distance of 21.79 feet to the point of beginning of said 5.00 foot wide easement; thence South 00 degrees 53 minutes 57 seconds East, parallel with said west line of Lake Elmo Avenue North, a distance of 5.00 feet; thence North 86 degrees 39 minutes 34 seconds East, a distance of 56.55 feet to a point on said west line of Lake Elmo Avenue North which is 62.00 feet north of said northeast corner of Block 2, ELMO PARK, as measured along said west line of Lake Elmo Avenue North; thence North 00 degrees 53 minutes 57 seconds West, along said west line of Lake Elmo Avenue North, a distance of 5.00 feet; thence South 86 degrees 39 minutes 34 seconds West, a distance of 56.55 feet to the point of beginning.

This parcel contains 2154 square feet, more or less, and is subject to a permanent utility easement 20 feet in width over part of said Lot 5, COUNTY AUDITOR'S PLAT NO. 8, recorded by Document Number 570951 and is also subject to a permanent utility easement 20 feet in width over part of said Lot 6, COUNTY AUDITOR'S PLAT NO. 8, recorded by Document Number 566349. Both Documents are on file and of record in the Office of the County Recorder, Washington County, Minnesota.

All that part of the Southwest Quarter of Section 13, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, which is also known as part of Lot 5 and Lot 6, COUNTY AUDITOR'S PLAT NO. 8, according to the plat thereof, on file and of record in the Office of the County Recorder, Washington County, Minnesota, except the westerly 150.00 feet of said Lot 5 and except all that part of said Lot 5 and said Lot 6 described as follows:

Commencing at the northeast corner of Block 2, ELMO PARK, according to the plat thereof, on file and of record in the Office of the County Recorder, Washington County, Minnesota; thence North 00 degrees 53 minutes 57 seconds West, assumed bearing, along the west line of Lake Elmo Avenue North, a distance of 67.00 feet to the point of beginning of the parcel of land to be excepted; thence continuing North 00 degrees 53 minutes 57 seconds West, along said west line of Lake Elmo Avenue North, a distance of 37.74 feet; thence South 71 degrees 44 minutes 52 seconds West, parallel with the north line of said Block 2, ELMO PARK, a distance of 82.74 feet; thence South 03 degrees 20 minutes 26 seconds East, a distance of 16.42 feet; thence North 86 degrees 39 minutes 34 seconds East, a distance of 78.34 feet to the point of beginning.

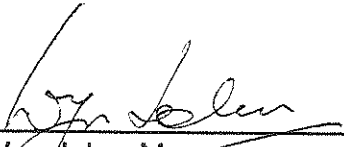
This parcel contains 7727 square feet, more or less, and is subject to a permanent utility easement 20 feet in width over part of said Lot 5, COUNTY AUDITOR'S PLAT NO. 8, recorded by Document Number 570951 and is also subject to a permanent utility easement 20 feet in width over part of said Lot 6, COUNTY AUDITOR'S PLAT NO. 8, recorded by Document Number 566349. Both Documents are on file and of record in the Office of the County Recorder, Washington County, Minnesota. This parcel is also subject to a 5.00 foot wide easement for maintenance and overhang purposes over and across that part of said Lot 5, COUNTY AUDITOR'S PLAT NO. 8, described as follows:

Commencing at the northeast corner of said Block 2, ELMO PARK; thence North 00 degrees 53 minutes 57 seconds West, assumed bearing, along the west line of Lake Elmo Avenue North, a distance of 104.74 feet; thence South 71 degrees 44 minutes 52 seconds West, parallel with the north line of said Block 2, ELMO PARK, a distance of 82.74 feet; thence South 03 degrees 20 minutes 26 seconds East, a distance of 16.42 feet; thence North 86 degrees 39 minutes 34 seconds East, a distance of 21.79 feet to the point of beginning of said 5.00 foot wide easement; thence South 00 degrees 53 minutes 57 seconds East, parallel with said west line of Lake Elmo Avenue North, a distance of 5.00 feet; thence North 86 degrees 39 minutes 34 seconds East, a distance of 56.55 feet to a point on said west line of Lake Elmo Avenue North which is 62.00 feet north of said northeast corner of Block 2, ELMO PARK, as measured along said west line of Lake Elmo Avenue North; thence North 00 degrees 53 minutes 57 seconds West, along said west line of Lake Elmo Avenue North, a distance of 5.00 feet; thence South 86 degrees 39 minutes 34 seconds West, a distance of 56.55 feet to the point of beginning.

BE IT FURTHER RESOLVED, that the minor subdivision is granted under the following condition:

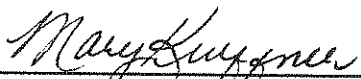
1. The two halves resulting from this minor subdivision shall be consolidated with the adjacent properties as required in Section 401.040 and 401.045 of the Lake Elmo Municipal Code.

ADOPTED, by the City Council of the City of Lake Elmo this 20th day of July, 1993.



Wyn John, Mayor

ATTEST:



Mary Kueffner, City Administrator