

Document #
799389

City of Lake Elmo
Washington County, Minnesota

Resolution 94-11

A Resolution Granting a Minor Subdivision to
Ann M. Kern and Arlene W. Kern

WHEREAS, Ann M. Kern and Arlene W. Kern have applied for a minor subdivision pursuant to Section 401.042 of the Lake Elmo Municipal Code, of the property legally described as follows:

The East 1/2 of the SW 1/4 of the Northeast 1/4 - Section 12, Township 29 N. Range 21W; and

Part of the East 1/2 of the West 1/2 of the Southeast 1/4 except beginning at Southwest corner thereof thence N. 56 degree East 12 Rods 1 Lks thence N 14 degree W 42 rods 22 lks thence South 52 Rods to beginning North of Road
Exc to Highway, - Section 12, Township 29 N., Range 21W; and

Part of the E1/2 of the SE 1/4 except N. 100 Rods of E. 40 Rods also exc com. at SE cor of Section 12 then N. along E line Sd Sec 12 for 356.5 ft to its intsec with NLY R/W line of County Hwy 14 SD Intsec being pt of beg this des then continue N. along Sd E line of Sec. 12 for 633.5 ft then deflected to left for 26 deg. 30' for 299.4 ft to its intsec with Sly R/W line of Hwy 212 then SWLY along SD SLY R/W line SD Hwy 212 for 187.8 ft then SLY along SD R/W line SD HWY 212 for 165.8 ft to its intsec with ELY R/W of County Road 14 then SELY along SD ELY R/W of SD County Road for 680 ft M/L to pt of beg exc to HWY EXC 2101; and

25 A N 50 Rds of NE 1/4 of NE 1/4 Section 13 Township 29N. Range 21W except 2651; and

WHEREAS, the Lake Elmo Planning Commission considered this request at a regular meeting held on March 28, 1994, and recommended unanimously that requested minor subdivision be conditionally granted.

NOW, THEREFORE, BE IT RESOLVED that a minor subdivision is hereby granted to Anne M. Kern and Arlene W. Kern and the property will be described as follows:

Parcel 1

That part of the North 50 rods of the Northeast Quarter of the Northeast Quarter of Section 13, Township 29 North, Range 21 West, Washington County, Minnesota, which lies westerly of County State Aid Highway No. 15. (Washington County Highway Right-of-Way Plat No. 33), and

That part of the East Half of the East Half of the Southeast Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota, which lies southeasterly of Minnesota State Highway No. 5, and which lies southwesterly of County State Aid Highway 14 and 15, (Washington County Highway Plat No. 33). (See historical legal description and note below). and

That part of the West Half of the East Half of the Southeast Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota which lies southeasterly of State Highway No. 5.

Said tract contains 41.115 acres more or less.

Subject to easements, reservations and restrictions of record, if any.

HISTORICAL LEGAL DESCRIPTION

That part of the Southeast Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota which lies west and south of the following described line; beginning at the southeast corner of said Section 12, thence North along the east line of said Section 12 a distance of 60 rods, thence due West 40 rods, thence due North 100 rods to the north line of said Southeast Quarter of Section 12, and which lies southeasterly of Minnesota State Highway No. 5 and which lies southwesterly of County State Aid Highway No. 14 and 15 (Washington County Highway Plat No. 33).

NOTE

The line described in the historical description appears in a partitioning deed recorded in Book D of Deeds, pages 146 and 372, dated December 3, 1852. A later deed in Book X of Deeds, page 587 conveyed the West Half of the East Half of the Southeast Quarter. Therefore, the remainder would be the East Half of the East Half of the Southeast Quarter. Further, it may be assumed that the East 40 rods was intended to be the East Half of the East Half and the South 60 rods was intended to be the South 3/8ths.

Parcel 2

That part of the West Half of the East Half of the Southeast Quarter, Section 12, Township 29 North, Range 21 West, Washington County, Minnesota, which lies northwesterly of State Trunk Highway No. 5., and;

That part of the East Half of the West Half of the Southeast Quarter, Section 12, Township 29 North, Range 21 West, Washington County, Minnesota, which lies northwesterly of State Trunk Highway No. 5 and which lies northeasterly of Tract B, Registered Land Survey No. 61, and

The East Half of the Southwest Quarter of the Northeast Quarter, Section 12, Township 29 North, Range 21 West, Washington County, Minnesota.

Subject to easements, reservations and restrictions of record, if any.


Said Tract contains 81.756 acres, more or less.

NOTE:

The proposed legal description in the second paragraph above, differs from the historical legal description used in Parcel 19, of Documents No. 220861, Book 246 of Deed, Page 603. it appears that the easterly and northerly lines of Tract B, Registered Land Survey No. 61, were established by judicial proceedings.

The description in the first paragraph above may be subject to an overlap created by the parcels described in Book D of Deeds, pages 146 and 372, dated December 3, 1852.

Adopted by the Lake Elmo City Council this 5th day of April 1994.


Wyn John, Mayor

Attest:


Mary Kueffner, City Administrator