

Document #  
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City of Lake Elmo  
Washington County, Minnesota

Resolution 95- 35

A Resolution amending Resolution 94-33  
adopted by the Lake Elmo City Council on December 20, 1994  
Granting a Minor Subdivision to Howard Michels

WHEREAS, Howard Michels made application to the City of Lake Elmo for a minor subdivision pursuant to Section 401.042 of the Lake Elmo Municipal Code of the following described parcel of land.

All that part of the SE 1/4 of the SW 1/4 Sec. 16, Twn. 29, R. 21, lying S of the Chicago, Northwestern Railroad (formerly Chicago, St. Paul, Minneapolis and Omaha Railroad as described in that Warranty Deed dated July 1-1882, and recorded July 7-1882, in Book 7 of Deeds, page 106, in the office of the Register of Deeds for Washington County, Minn.); excepting therefrom Bau Haven Plat dated November 22-1961, and recorded Dec. 21, 1961, in Book E of Plats, p. 13, in the office of the Register of Deeds for Washington County, Minnesota.

and

The SW 1/4 of the SE 1/4 of Sec. 16, Tp. 29, Rge. 21, lying S of the Chicago, Northwestern Railroad (formerly Chicago, St. Paul, Minneapolis and Omaha Railroad as described in that Warranty Deed dated July 1-1882, and recorded July 7-1882, in Book 7 of Deeds, page 106, in the office of the Register of Deeds for Washington County, Minn.), except the E 10 acres. Free from all incumbrances subject to that Highway easement to the State of Minnesota dated March 2-1953, and recorded April 14-1953 in Book 183 of Deeds, page 274; and subject to that easement to the Northern States Power Co. dated Aug. 15-1962, and recorded Aug. 17-1962 in Book 250 of Deeds, page 23; and further, subject to that right of way conveyance to the Standard Oil Co., dated July 12-1946, and recorded September 4-1946, in Book 150 of Deeds, page 247.

WHEREAS, the Lake Elmo Planning Commission considered the request for a minor subdivision on December 12, 1994; and recommended unanimously that a minor subdivision be granted as well as a variance for lot ratio the hardship being the topography of the land; and

WHEREAS, the Lake Elmo City Council reviewed the recommendations of the Planning Commission at its meeting held on December 20, 1994, and has determined that the application for a minor subdivision is in compliance with the regulations of the City.

NOW, THEREFORE, BE IT RESOLVED that a minor subdivision and lot ratio variances hereby granted and said minor subdivision shall result in the following described parcels:

That part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 06 minutes 43 seconds East, assumed bearing, along the east line of said Southwest Quarter of the Southeast Quarter a distance of 119.77 feet to the northeast corner of Parcel 40 of WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 23, recorded as Document No. 393903 in the office of the County Recorder, Washington County, Minnesota and the point of beginning; thence continue North 00 degrees 06 minutes 43 seconds East along said east line 744.79 feet to the southeasterly corner of the tract described in Book 7 of Deeds, page 106, as recorded in said office of the County Recorder, thence South 87 degrees 00 minutes 59 seconds West along the southerly line of said tract 600.00 feet; thence South 02 degrees 59 minutes 01 second East along said southerly line 50.00 feet; thence South 87 degrees 00 minutes 59 seconds West along said southerly line 391.51 feet; thence South 66 degrees 00 minutes 00 seconds East 58.09 feet; thence South 45 degrees 00 minutes 00 seconds East 196.00 feet; thence South 46 degrees 00 minutes 00 seconds East 129.00 feet; thence North 84 degrees 00 minutes 00 seconds East 52.00 feet; thence South 67 degrees 00 minutes 00 seconds East 77.00 feet; thence South 11 degrees 00 minutes 00 seconds East 107.00 feet; thence North 84 degrees 00 minutes 00 seconds East 84.00 feet; thence North 49 degrees 00 minutes 00 seconds East 137.00 feet; thence South 70 degrees 00 minutes 00 seconds East 77.00 feet to the west line of the East 300.00 feet of said Southwest Quarter of the Southeast Quarter; thence South 00 degrees 06 minutes 43 seconds West along said west line 356.63 feet to the northerly line of said Parcel 40; thence North 87 degrees 36 minutes 06 seconds East along said northerly line 137.01 feet to boundary corner B 12 as designated on said plat; thence North 02 degrees 23 minutes 54 seconds West along said northerly line 10.00 feet to boundary corner B 13 as designated on said plat; thence North 87 degrees 36 minutes 06 seconds East along said northerly line 163.72 feet to the point of beginning, containing 9.40 acres, more or less.

Subject to a 90.00 foot by 290.00 foot drainage easement as designated on said WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 23 as Parcel 40 Drainage Easement.

Also, subject to a 15.00 foot wide drainage easement over that part thereof adjoining and lying northeasterly of the following described line:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 06 minutes 43 minutes East, assumed bearing, along the east line of said Southwest Quarter of the Southeast Quarter a distance of 864.56 feet to the southeasterly corner

of the tract described in Book 7 of Deeds, page 106, as recorded in said office of the County Recorder, thence South 87 degrees 00 minutes 59 seconds West along the southerly line of said tract 600.00 feet; thence South 02 degrees 59 minutes 01 seconds East along said southerly line 50.00 feet; thence South 87 degrees 00 minutes 59 seconds West along said southerly line 391.51 feet to the point of beginning of the line to be described; thence South 66 degrees 00 minutes 00 seconds East 58.09 feet; thence South 45 degrees 00 minutes 00 seconds East 196.00 feet; thence South 46 degrees 00 minutes 00 seconds East 129.00 feet; thence North 84 degrees 00 minutes 00 seconds East 52.00 feet; thence South 67 degrees 00 minutes 00 seconds East 77.00 feet; thence South 11 degrees 00 minutes 00 seconds East 107.00 feet; thence North 84 degrees 00 minutes 00 seconds East 84.00 feet; thence North 49 degrees 00 minutes 00 seconds East 137.00 feet; thence South 70 degrees 00 minutes 00 seconds East 77.00 feet to the west line of the East 300.00 feet of said Southwest Quarter of the Southeast Quarter and said line there terminate.

Also, subject a 40.00 foot wide drainage easement over that part thereof lying 15.00 feet northeasterly and lying 25.00 feet southwesterly of the following described line:

Beginning at the point of termination of above, last described line; thence South 67 degrees 15 minutes 10 seconds East 76.67 feet; thence South 51 degrees 41 minutes 10 seconds East 68.58 feet to the west line of said 90.00 foot by 290.00 foot drainage easement adjoining the north line of said Parcel 40. The sidelines of said easement are to be lengthened or shortened to terminate on said west line and on said south line of the tract described in Book 7 of Deeds, page 106.

Parcel B

That part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 29 North, Range 21 West, Washington County, Minnesota lying northerly of Parcel 40 of WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 23, recorded as Document No. 393903 in the office of the County Recorder, Washington County, Minnesota; lying southerly of the Chicago and Northwestern Railroad right-of-way as described in Book 7 of Deeds, page 106, recorded and on file is said office of the County Recorder; and lying westerly of the following described line:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 06 minutes 43 seconds East, assumed bearing, along the east line of said Southwest Quarter of the Southeast Quarter a distance of 864.56 feet to the southeasterly corner of said tract described in Book 7 of Deeds, page 106; thence South 87 degrees 00 minutes 59 seconds West along the southerly line of said tract 600.00 feet; thence South 02 degrees 59 minutes 01 second East along said southerly line 50.00 feet; thence South 87 degrees 00 minutes 59 seconds West along said southerly line 391.51 feet to the point of beginning of the line to be described; thence South 66 degrees 00 minutes 00 seconds East 58.09 feet; thence South 45 degrees 00 minutes 00 seconds East 196.00 feet; thence South 46 degrees 00 minutes 00 seconds East 129.00 feet; thence North 84 degrees 00 minutes 00 seconds East 52.00 feet; thence South 67 degrees 00 minutes 00 seconds East 77.00 feet; thence South 11 degrees 00 minutes 00 seconds East 107.00 feet; thence North 84 degrees 00 minutes 00 seconds East 84.00 feet; thence North 49 degrees 00 minutes 00 seconds East 137.00 feet; thence South 70 degrees 00 minutes 00 seconds East 77.00 feet to the west line of the East 300.00 feet of said Southwest Quarter of the Southeast Quarter; thence South 00 degrees 06 minutes 43 seconds West along said west line 356.63 feet to the northerly line of said Parcel 40 and said line there terminate.

The area of this parcel is 12.67 acres, more or less.

Also, subject to a 25.00 foot wide drainage easement over that part thereof adjoining and lying southwesterly of the following described line:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 06 minutes 43 minutes East, assumed bearing, along the east line of said Southwest Quarter of the Southeast Quarter a distance of 864.56 feet to said southeasterly corner of the tract described in Book 7 of Deeds, page 106; thence South 87 degrees 00 minutes 59 seconds West along the southerly line of said tract 600.00 feet; thence South 02 degrees 59 minutes 01 seconds East along said southerly line 50.00 feet; thence South 87 degrees 00 minutes 59 seconds West along said southerly line 391.51 feet to a point hereinafter referred to as Point "A" and the point of beginning of the line to be described; thence South 66 degrees 00 minutes 00 seconds East 58.09 feet; thence South 45 degrees 00 minutes 00 seconds East 196.00 feet; thence South 46 degrees 00 minutes 00 seconds East 129.00 feet; thence North 84 degrees 00 minutes 00 seconds East 52.00 feet; thence South 67 degrees 00 minutes 00 seconds East 77.00 feet; thence South 11 degrees 00 minutes 00 seconds East 107.00 feet; thence North 84 degrees 00 minutes 00 seconds East 84.00 feet; thence North 49 degrees 00 minutes 00 seconds East 137.00 feet; thence South 70 degrees 00 minutes 00 seconds East 77.00 feet to the west line of the East

300.00 feet of said Southwest Quarter of the Southeast Quarter and said line there terminate. The southwesterly sideline of said easement is to be extended to terminate on said south line of the tract described Book 7 of Deeds, page 106 and on said west line of the East 300.00 feet of the Southwest Quarter of the Southeast Quarter.

Also, subject to a drainage easement over that part thereof described as follows:

Commencing at aforesaid Point "A"; thence South 87 degrees 00 minutes 59 seconds West along said south line of the tract described in Book 7 of Deeds, page 106 a distance of 108.49 feet to an angle point in said south line; thence North 02 degrees 59 minutes 01 second West along said south line 30.00 feet to the point of beginning; thence continue North 02 degrees 59 minutes 01 second West along said south line 20.00 feet to an angle point in said south line; thence South 87 degrees 00 minutes 59 seconds West along said south line 70.00 feet; thence southeasterly to the point of beginning.

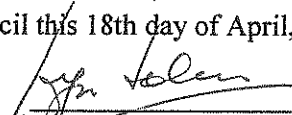
Also, subject to an easement for pipeline purposes as described in Book 252 of Deeds, page 267, recorded and on file in said office of the County Recorder.

Also, subject to an easement in favor of Northern States Power Company as described in Book 250 of Deeds, page 23, recorded and on file in said office of the County Recorder.


BE IT FURTHER RESOLVED, that minor subdivision is conditioned as follows:

1. Payment of a Park Dedication fee in the amount of \$700 for the newly created lot.

Adopted by the Lake Elmo City Council this 18th day of April, 1995.

  
Wyn John, Mayor

Attest:

  
Mary Kueffner, City Administrator