

City of Lake Elmo
Washington County, Minnesota

Resolution No. 2000-042

A Resolution Granting a Minor Subdivision to
Richard Hesse

WHEREAS, Richard Hesse has made application to the City of Lake Elmo for a minor subdivision pursuant to Section 400.07 of the Lake Elmo Municipal Code of the following described parcel of land; to wit:

That part of the East ½ of the Southeast ¼ tract, being West 660 feet, except the North 825 feet thereof Section 2, Township 29, Range 21.

and

That part of the Northeast ¼ of the Northeast ¼ being North 290.4 feet of the East 750 feet of the West 850, Section 11, Township 29, Range 21.

WHEREAS, the Lake Elmo Planning Commission considered this minor subdivision request at its August 28, 2000 meeting, and recommended that the minor subdivision be granted.

NOW, THEREFORE, BE IT RESOLVED, that a minor subdivision is hereby granted by the City Council to Richard Hesse, resulting in the following:

PARCEL "A" : That part of the West 660.00 feet of the East Half of the Southeast Quarter of Section 2, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying southerly of the North 825.55 feet thereof. Except the south 605.00 feet of the East 360.00 feet of said West 660.00 feet of the East half of the Southeast Quarter. This parcel contains 22.42 acres, more or less. Subject to the right-of-way of 50th Street North.

PARCEL "B": The East 360.00 feet of the West 660.00 feet of the South 605.00 feet of the East Half of the Southeast Quarter of Section 2, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, and the North 290.40 feet of the East 750.00 feet of the West 850.00 feet of the Northeast Quarter of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota. This parcel contains 10.00 acres, more or less. Subject to the right-of way of 50th Street.

BE IT FURTHER RESOLVED, that this minor subdivision is granted subject to the following condition:

1. A legal instrument, satisfactory to the City Attorney, be recorded upon title of each 5 acre tax parcel, that will be a combined 10 acre parcel for zoning purposes, that clearly reveals this circumstance, and prohibits sale of either 5 acre tax parcel without City approval.

ADOPTED by the Lake Elmo City Council this 5th day of September, 2000.



Lee Hunt, MAYOR

ATTEST:



Mary Kueffner, City Administrator

3136534



Office of the
County Recorder
Washington County, MN

Certified filed and/or recorded on:
2000/12/28 1:45:00 PM

3136534



Cindy Kossmann
County Recorder

by *Cindy Kossmann*

DECLARATION OF RESTRICTION ON LAND

19.50

RETURN TO:

LAWSON, MARSHALL, McDONALD
& GALOWITZ, P.A.
3880 Laverne Avenue North
Lake Elmo, MN 55042
Telephone: (651) 777-6960
JSM

DECLARATION OF RESTRICTION ON LAND

Richard D. Hesse and Rosalie M. Hesse (hereinafter referred to as "Owners"), being the fee owners of the premises described as:

The East 360.00 feet of the west 600.00 feet of the south 605.00 feet of the East Half of the Southeast Quarter of Section 2, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota. (Hereinafter referred to as Parcel B-1)

AND

The north 290.40 feet of the east 750.00 feet of the west 850.00 feet of the Northeast Quarter of Section 11, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota. (Hereinafter referred to as Parcel B-2)

do here declare and impose the following protective restrictions upon said premises, which are for the benefit of the City of Lake Elmo.

RESTRICTION

In consideration of the City of Lake Elmo's approval of the subdivision of the combined property described as Parcels B-1 and B-2 above from other property owned by Owners in the City of Lake Elmo, Owners hereby impose a restriction on the above described property as follows: Parcel B-1 shall not be sold, transferred or conveyed by Owners, their heirs, assigns or successors in title except together with a simultaneous sale, transfer or conveyance of Parcel B-2 to the same buyer or transferee except with the approval of the City of Lake Elmo.

Parcel B-2 shall not be sold, transferred or conveyed by Owners, their heirs, assigns or successors in title except together with a simultaneous sale, transfer or conveyance of Parcel B-1 to the same buyer or transferee except with the approval of the City of Lake Elmo.

Owners shall cause this Restriction to be recorded with the office of the Washington County Recorder prior to any sale, transfer or conveyance of Parcel B-1 or Parcel B-2. The restriction shall run with the land and be binding on owners and any successors in title.

IN TESTIMONY WHEREOF, Richard D. Hesse and Rosalie M. Hesse have caused these protective restrictions to be executed this 21st day of December, 2000.

Richard D. Hesse
Richard D. Hesse

Rosalie M. Hesse
Rosalie M. Hesse

STATE OF MINNESOTA

COUNTY OF WASHINGTON

On this 21st day of December, 2000, before me a Notary

Public within and for said county personally appeared Richard D. Hesse and Rosalie M. Hesse, husband and wife, to me known to be the person described in and who executed the foregoing instrument, and they acknowledged that they executed the same as their free act and deed.

John S. McDonald
Notary Public

