

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2004-109  
A RESOLUTION GRANTING A MINOR SUBDIVISION AND OP FINAL STAGE PLAN AMENDMENT  
TO  
MARY JEAN DUPUIS/ROBERT ENGSTROM COMPANIES

WHEREAS, the OP Final Plan/Final Plat for Fields II was approved by the City Council on January 18, 2000 as 54 single family detached lots and several outlots;

WHEREAS, Outlot N of the Fields II plat was designed to facilitate additional lot(s) at the end of Lily Avenue at such time as the owners of the "Exception" parcel south of Outlot N was ready to divide their parcels.

WHEREAS, Robert Engstrom Companies and Mary Jean Dupuis have made application to amend the Fields II Plan for inclusion of the 3.5 acre Dupuis parcel and the creation of three lots.

WHEREAS, the existing Dupuis property, 11676 Stillwater Boulevard, Lake Elmo, MN, is legally described as follows:

All that part of the Southeast Quarter of Section 12, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate system), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet, a distance of 380.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 245.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, a distance of 839.50 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 594.50 feet to its intersection with said south line of the north 132.00 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, at right angles to the last described line, along said south line of the north 132.00 feet, a distance of 2.02 feet, more or less, to its intersection with a westerly line of Tract B, Registered Land Survey No. 61, on file and of record in the Office of the Registrar of Titles, Washington County, Minnesota; thence South 03 degrees 37 minutes 31 seconds East, along said westerly line of Tract B, a distance of 245.16 feet, more or less, to its intersection with a line that bears North 88 degrees 27 minutes 18 seconds East from the point of beginning; thence South 88 degrees 27 minutes 18 seconds West, a distance of 260.92 feet, more or less, to the point of beginning.

This parcel contains 4.85 acres, more or less, and is together with an easement for ingress and egress over the following described tract of land:

Commencing at the South quarter corner of Section Twelve (12), Township 29N, Range 21W, Washington County, Minnesota; thence North along the North-South quarter section line of said Section 12 for 1188.0 feet to the Southwest corner of the North 132 feet of the West half of the Southwest quarter of the Southeast quarter of said Section 12; thence East along the South line of said North 132 feet of the West half of the Southwest quarter of the Southeast quarter for 630 feet to the point of beginning of this description; thence continuing East along said South line of North 132 feet of the West half of the Southwest quarter of the Southeast quarter (W ½ of SW ¼ of SE ¼) for 30 feet; thence North at right angles for 244.5 feet; thence West at right angles for 30 feet; thence south at right angles for 244.5 feet to the point of beginning;

And also over Tract B of Registered Land Survey Number 61, on file and of record in the Office of the Register of Deeds in and for said County and State, which easements hereby granted lead from the premises hereby conveyed to State Trunk Highway #212 and are for the purpose of ingress and egress only.

WHEREAS, at its October 25, 2004 meeting, the Planning Commission reviewed and recommended approval of the application for a Minor Subdivision and OP Final Stage Plan Amendment by Robert Engstrom Companies/Mary Jean Dupuis based on the following conditions:

1. Amend the Fields homeowner's Association Declaration of Covenants to annex Parcels B and C.
2. Payment of a Public Use Dedication fee of \$1,500 each for Parcels B and C.
3. Install second set of utility connections in Lily Avenue at owner's expense if missing
4. Identify and preserve two prominent white oaks.

NOW, THEREFORE, BE IT RESOLVED THAT a Minor Subdivision and OP Final Stage Plan Amendment is hereby anted by the City Council to Robert Engstrom Companies/Mary Jean Dupuis resulting in the following parcels:

**Parcel A: (New Dupuis Parcel)**

All that part of the West Half of the Northwest Quarter of the Southeast Quarter (W ½ of NW ¼ of SE ¼), and the North One Hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast Quarter (W ½ of SW ¼ of SE ¼), of Section Twelve (12), in Township Twenty-nine (29) North, of Range Twenty-one (21) West described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to a point hereinafter called Point A; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 373.16 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 27 minutes 18 seconds West, at right angles to the last described line, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 250.00 feet to the point of beginning, together with an easement for ingress and egress over the following described tract of land:

Commencing at the South quarter corner of Section Twelve (12), Township 29 N, Range 21 W, Washington county, Minnesota; thence North along the North-South quarter section line of said Section 12 for 1188.0 feet to the Southwest corner of the North 132 feet of the West half of the Southwest Quarter of the Southeast Quarter of said Section 12; thence East along the south line of said North 132 feet of the West half of the Southwest Quarter of the Southeast Quarter for 630 feet to the point of beginning of this description; thence continuing East along said south line of said North 132 feet of the West half of the Southwest Quarter of the Southeast Quarter ( W ½ of SW ¼ of SE ¼) for 30 feet; thence North at right angles for 244.5 feet; thence West at right angles for 30 et; thence South at right angles for 244.5 feet to the point of beginning, ALSO:

All that part of Outlot H, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, lying south of the following described line:

Commencing at aforesaid Point A; thence North 88 degrees 27 minutes 18 seconds East, a distance of 250.00 feet to the west line said Outlot H and the point of beginning of the line to be described; thence North 88 degrees 27 minutes 18 seconds East, a distance of 32.81 feet to the east line of said Outlot H, and said line there terminating.

**Parcel B: (Fields II Parcel)**

All that part of the West Half of the Northwest Quarter of the Southeast Quarter (W ½ of NW ¼ of SE ¼), and the North One Hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast Quarter (W ½ of SW ¼ of SE ¼), of Section Twelve (12), in Township Twenty-nine (29) North, of Range Twenty-one (21) West and that part of Outlot N, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 594.50 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 594.50 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 27 minutes 18 seconds West, at right angles to the last described line, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 250.00 feet to the point of beginning, the parcel of land described as follows;

All that part of the above described parcels lying North and West of the following described line; Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence

North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to a point hereinafter called Point A and the point of beginning of the line to be described; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 164.99 feet to a point hereinafter called Point B; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 100.27 feet; thence North 37 degrees 10 minutes 05 seconds West, a distance of 171.67 feet to the North line of said Outlot N, and said line there terminating.

**Parcel C: (Fields II Parcel)**

All that part of the West Half of the Northwest Quarter of the Southeast Quarter (W ½ of NW ¼ of SE ¼), and the North One Hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast Quarter (W ½ of SW ¼ of SE ¼), of Section Twelve (12), in Township Twenty-nine (29) North, of Range Twenty-one (21) West and that part of Outlots N and H, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, described as follows:

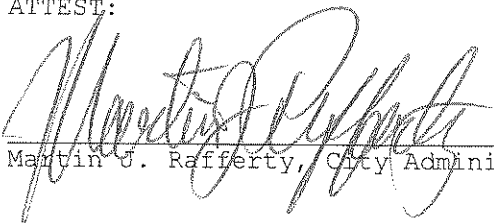
Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 594.50 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 594.50 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 27 minutes 18 seconds West, at right angles to the last described line, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 250.00 feet to the point of beginning, the parcel of land described as follows;

All that part of the above described parcels lying East of the following described line; Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to a point hereinafter called Point A; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 164.99 feet to a point hereinafter called Point B and the point of beginning of the line to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 100.27 feet; thence North 37 degrees 10 minutes 05 seconds West, a distance of 171.67 feet to the North line of said Outlot N, and said line there terminating and all that part of the above described parcels lying North of the following described line; Beginning at aforesaid Point B; thence North 88 degrees 27 minutes 18 seconds East, a distance of 85.01 feet, to the west line said Outlot H; thence continuing North 88 degrees 27 minutes 18 seconds East, a distance of 32.81 feet to the east line of said Outlot H, and said line there terminating.

ADOPTED by the Lake Elmo City Council on December 7, 2004.

  
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Lee Hunt, Mayor

ATTEST:

  
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Martin J. Rafferty, City Administrator