

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. 2004-110

A RESOLUTION WAIVING PLANNING COMMISSION REVIEW AND AUTHORIZING SALE  
OF PROPERTY

WHEREAS, the City of Lake Elmo ("Lake Elmo") is the fee owner of the real property described on Exhibit A attached hereto (the "Property"); and

WHEREAS, the appraised market value of the Property is \$360,000.00; and

WHEREAS, Lake Elmo has received an offer from St. Croix Farms, LLC, a Minnesota limited liability company ("St. Croix Farms") to purchase the Property for its appraised value.


NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby determines that the sale of the Property bears no relationship to the City's Comprehensive Plan and dispenses with the Planning Commission review of the proposed sale; that the sale of the Property to St. Croix Farms for its appraised value is approved; and that the Mayor is authorized to execute the appropriate deed of conveyance subject to the following conditions:

1. St. Croix Farms will in turn convey the Property to John A. Berschens and Janet Berschens or, in the alternative, at the request of St. Croix Farms, Lake Elmo will convey the Property directly to John A. Berschens and Linda Berschens.

2. John A. Berschens and Janet Berschens will convey the various easements described in that certain Development Agreement between Lake Elmo and St. Croix Farms, dated the \_\_\_ day of \_\_\_\_\_, 2004 to Lake Elmo and The Minnesota Land Trust.

Approved by the City of Lake Elmo on the 7<sup>th</sup> day of December, 2004

CITY OF LAKE ELMO

  
\_\_\_\_\_  
Lee Hunt, Mayor

ATTEST:

  
\_\_\_\_\_  
Martin Rafferty, City Administrator

EXHIBIT A

LEGAL DESCRIPTION

All that part of the west Half of the Northeast Quarter, and all that part of Government Lot 3, lying easterly of the easterly line of the recorded plat of DAWCIN ACRES, as the same is surveyed and monumented, all located in Section 10, Township 29 North, Range 21 West, Washington County, Minnesota described as follows, to wit:

Beginning at the southwesterly corner of said West Half of the Northeast Quarter, thence North 88 degrees 50 minutes 37 seconds East, assumed bearing, along the southerly line thereof, 816.17 feet; thence easterly, northeasterly and northerly 783.76 feet along a tangential curve, concave to the northwest, having a radius of 498.22 feet and a central angle of 90 degrees 08 minutes 00 seconds; thence North 01 degree 17 minutes 23 seconds West, along tangent, 44.09 feet, more or less, to the northerly line of the South 543.47 feet of said West Half of the Northeast Quarter; thence South 88 degrees 50 minutes 37 seconds West, along said northerly line, and along the northerly line of the South 543.47 feet of said Government Lot 3, a distance of 1427.30 feet, more or less, to said easterly line of the recorded plat of DAWCIN ACRES, as the same is surveyed and monumented; thence South 01 degree 40 minutes 19 seconds East, along said easterly line, 543.49 feet, more or less, to the southerly line of said Government Lot 3; thence North 88 degrees 50 minutes 37 seconds East, along said southerly line 108.12 feet, more or less, to the point of beginning.

Containing 16.555 acres, more or less.

Subject to the right of way of 45<sup>th</sup> Street North and subject to the right of way of Julep Avenue North.

Also subject to Northern States Power Company and Northwestern Bell Telephone Company easements of record.