

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2005-138

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION
DEVELOPMENT FINAL PLAT, FINAL PLAN,
AND DEVELOPMENT AGREEMENT
OF SANCTUARY OF LAKE ELMO**

WHEREAS, on the 30th day of November, 2005, the Lake Elmo Development Company, ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Final Plat and Development Agreement to be known as SANCTUARY OF LAKE ELMO. The parcel is located southerly of Highway 36 and westerly of Manning Avenue and is legally described as follows.

Parcel Legal Descriptions

RICHARD AND EILEEN BERGMANN PROPERTY COMMITMENT FOR
TITLE INSURANCE SCHEDULE A, EXHIBIT A, Case No. 259369

PARCEL 1

The East Half of the Northwest Quarter of the Northeast Quarter of Section 1,
Township 29 North, Range 21 West, Washington County, Minnesota.

PARCEL 2

Lot 15, Schaefer's Corner, according to the plat on file and of record, Washington
County, Minnesota.

PARCEL 3

The north 13.9 feet of Lot 16, Schaefer's Corner, according to the plat thereof on
file and of record, Washington County, Minnesota.

PARCEL 4

All that part of the Northeast Quarter of the Northeast Quarter of Section 1,
Township 29, Range 21, excepting therefrom the South 57 rods thereof and

excepting therefrom that part of the Northeast Quarter of the Northeast Quarter
platted as Schaefer's Corner, Washington County, Minnesota.

PARCEL 5

Lot 16, except the north 13.9 feet thereof Schaefer's Corner, according to the plat thereof on file and of record, Washington County, Minnesota.

PARCEL 6

That part of the Northeast Quarter of the Northwest Quarter and that part of the West Half of the Northwest Quarter of the Northeast Quarter, all in Section 1,

Township 29, Range 21, Washington County, Minnesota, described together as follows:

Beginning at the northeast corner of said West Half of the Northwest Quarter of the Northeast Quarter; thence on a bearing of South 89 degrees 47 minutes 30 seconds

West, (bearings based upon the Washington County Coordinate System), along the north line of said West Half of the Northwest Quarter of the Northeast Quarter a distance of 353.59 feet; thence South 0 degrees 19 minutes 54 seconds East, 294.59 feet to the intersection of the southerly right of way line of State Highway No. 36; thence

continue South 0 degrees 19 minutes 54 seconds East, 292.32 feet; thence South 61 degrees 31 minutes 55 seconds West, 226.42 feet; thence South 83 degrees 20 minutes

18 seconds West, 323.13 feet; thence South 89 degrees 45 minutes 35 seconds West 257.62 feet; thence South 0 degrees 00 minutes 32 seconds East, 675.77 feet to the south

line of said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 59 minutes 11 seconds East, along said south line, 474.94 feet to the southeast corner of

said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 58 minutes 56 seconds East along the south line of said West Half of the Northwest Quarter of the

Northeast Quarter; thence North 0 degrees 19 minutes 54 seconds West along the east line of said West Half of the Northwest Quarter of the Northeast Quarter 1095.94 feet

of the intersection of the southerly right of way line of said State Highway No. 36; thence continue North 0 degrees 19 minutes 54 seconds West 294.39 feet to the

point

of beginning. Subject to easements of record.

RICHARD AND EILEEN BERGMANN PROPERTY COMMITMENT FOR
TITLE INSURANCE SCHEDULE A, Case No. 255529

The South 27 Rods of the Northeast Quarter of Section 1, Township 29, Range 21
and also that part of the Southwest Quarter of Section 1, Township 29, Range 21,

and also that part of the Southwest Quarter of the Northwest Quarter of Section 6,
Township 29, Range 20, Washington County, Minnesota, that is described as
follows:

Beginning at the southwest corner of the Northwest Quarter of said Section 6;
thence North 88 degrees 45 minutes 42 seconds East, along the south line of said

Northwest Quarter for 4.78 feet; thence North 19 degrees 28 minutes 18 seconds
West for 15.27 feet to the West line of said Northwest Quarter; thence South 1
degree

14 minutes 50 seconds East along said west line for 14.50 feet to the point of
beginning.

HELEN S. AND ALVIN O. BERGMANN TRUST COMMITMENT FOR
TITLE INSURANCE SCHEDULE A, EXHIBIT A, Case No. 250534

All that part of the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE
1/4) of section One (1), in Township Twenty-nine (29) North, of Range Twenty-
one (21) West,

described as follows:

Commencing at the Southeast corner of said Northeast Quarter of the Northeast
Quarter (NE 1/4 of NE 1/4), thence running North along the East line of the said

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) a distance of Fifty-
seven (57) rods; thence West parallel with the North and South boundary lines of
the said

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) a distance of
Eighty (80) rods, more or less, to the West boundary line; thence South along the
West

boundary line of said Northeast Quarter of the Northeast Quarter (NE 1/4 of NE
1/4) a distance of Fifty-seven (57) rods, more or less, to the Southwest corner of

said

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4; thence East along the south boundary line a distance of Eighty (80) rods, more or less, to the point of beginning.

AND

All that part of the South One-half of the Northeast Quarter (S 1/2 of NE 1/4) of Section One (1) , in Township Twenty-nine (29) North, of Range Twenty-one (21)

West, described as follows:

Commencing from a point Twenty (27) rods North of the southeast corner of the Southeast Quarter of Northeast Quarter (SE 1/4 of NE 1/4) of said Section, Township

and Range; running thence north along the section line a distance of fifty-three (53) rods to the Northeast corner of the Southeast Quarter of the Northeast Quarter

(SE 1/4 of NE 1/4); running thence due West parallel with the north and south boundary lines of the said Northeast Quarter (NE 1/4) a distance of One Hundred Sixty (160)

rods, more or less, to the West boundary line of said Northeast Quarter (NE 1/4); thence south along said west boundary line a distance of fifty-three (53) rods to a point

on said west boundary line twenty-seven (27) rods north of the southwest corner of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4); thence due East

parallel with the south line of the said Northeast Quarter (NE 1/4) a distance of One Hundred Sixty (160) rods, more or less, to the east boundary line of said Northeast

Quarter (NE 1/4) to the point of beginning.

TOTAL AREA = 82.00 ACRES

AND

Also all that portion of the Southwest Quarter of the Northwest Quarter (SW 1/4

of NW 1/4) of section Six (6), in Township Twenty-nine (29) North, of Range Twenty (20)

West, lying west of the Town Road as it now traverses said Section Six (6).
Subject to easements of record.

TOTAL AREA = 1.69 ACRES

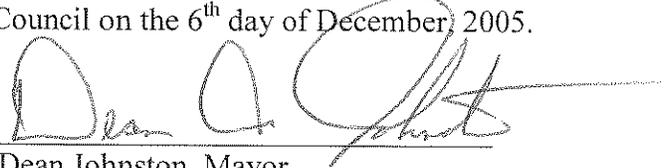
WHEREAS, at its October 4, 2005 meeting, the City Council reviewed and unanimously recommended approval of the Preliminary Plat, Development Stage Plan, and Conditional Use Permit of SANCTUARY OF LAKE ELMO for the division of those parcels into 62 residential lots.

NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby:

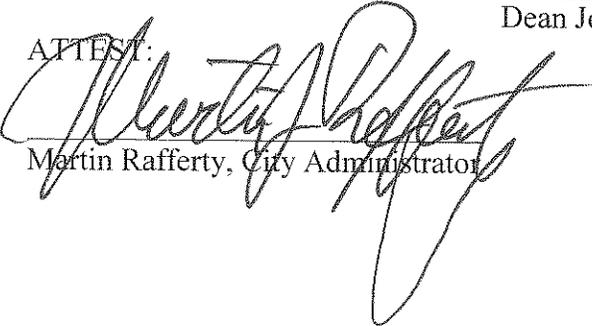
Approves the Open Space Final Plat and Development Agreement for SANCTUARY OF LAKE ELMO as illustrated on a Lake Elmo Development Company plat prepared by Folz, Freeman, Erickson, Inc., staff dated November 30, 2005 with the following conditions:

1. Compliance with recommendations of City Engineer.
2. Compliance with recommendations of Valley Branch Watershed District that the City Engineer finds to practical and reasonable.

ADOPTED, by the Lake Elmo City Council on the 6th day of December 2005.


Dean Johnston, Mayor

ATTEST:


Martin Rafferty, City Administrator