

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

RESOLUTION NO. 2005-071

**A RESOLUTION APPROVING THE OP DEVELOPMENT STAGE PLAN,
CONDITIONAL USE PERMIT, AND PRELIMINARY PLAT OF
FARMS OF LAKE ELMO**

WHEREAS, at its April 5, 2005 meeting, the City Council approved the Concept Plan for FARMS OF LAKE ELMO,

WHEREAS, M & K Development, LLC, made application for an OP Development Stage Plan, Conditional Use Permit, and Preliminary Plat, FARMS OF LAKE ELMO, to create 30 residential building lots and twelve outlots on a parcel of 83.8 acres legally described as follows:

LEGAL DESCRIPTION: EARL FRIEDRICH FARM – FARMS OF LAKE ELMO

That part of the North Half of the Northwest Quarter of Section 22, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Beginning at the northeast corner of said North Half of the Northwest Quarter; thence westerly along the north line thereof to the east line of the west 690.00 feet of said North Half of the Northwest Quarter; thence southerly along said east line to the south line of the north 215.00 feet of said North Half of the Northwest Quarter; thence westerly along said south line to the east line of the west 440.00 feet of said North Half of the Northwest Quarter; thence southerly along said east line to the south line of the north 675.00 feet of said North Half of the Northwest Quarter; thence westerly along said south line to the east line of the west 240.00 feet of said North Half of the Northwest Quarter; thence southerly along said east line to the south line of the north 875.00 feet of said North Half of the Northwest Quarter; thence easterly along said south line to the east line of the west 440.00 feet of said North Half of the Northwest Quarter; thence southerly along said east line to the south line of said North Half of the Northwest Quarter; thence easterly along said south line to the southwest corner of said North Half of the Northwest Quarter; thence northerly along the east line thereof to the point of beginning.

Excepting therefrom the parcel described as follows:

Commencing at said northeast corner of the North Half of the Northwest Quarter; thence westerly along the north line thereof a distance of 700.00 feet to the point of beginning of the parcel to be excepted; thence south on a line parallel with the east line of said North Half of the Northwest Quarter a distance of 208.70 feet; thence westerly, parallel with the north line of said North Half of the Northwest Quarter, a distance of 208.70 feet; thence northerly, parallel with the east line of said North Half of the Northwest Quarter, a distance of 208.70 feet to the north line of said North Half of the Northwest Quarter; thence easterly along said north line to the point of beginning.

This property is subject to various easements and restrictions of record.

ALSO

That part of the Southwest Quarter of Section 15, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, described as follows:

Beginning at a point on the south line of said Southwest Quarter distant 690.00 feet easterly of the southwest corner of said Southwest Quarter; thence northerly along a line parallel with the west line of said Southwest Quarter to a point 185.00 feet southerly of the center line of the old so-called Stillwater and St. Paul Road as measured along said parallel line extended to said center line; thence easterly along a line parallel with the south line of said Southwest Quarter a distance of 185.00 feet; thence northerly along a line parallel with the west line of said Southwest Quarter to said center line of the old so-called Stillwater and St. Paul Road; thence easterly along said center line to the west line of the east 925.20 feet of said Southwest Quarter; thence southerly along said west line a distance of 555.60 feet; thence easterly a distance of 225.20 feet to the west line of the east 700.00 feet of said Southwest Quarter; thence southerly along said west line to the south line of said Southwest Quarter; thence westerly along said south line to the point of beginning.

Excepting therefrom the following two parcels:

The parcel of land described in the Warranty Deed recorded in Book 212 of Deeds, on Page 184 in the Office of the County Recorder, Washington County, Minnesota.

The parcel of land described in the Warranty Deed recorded in Book 225 of Deeds, on Page 243 in the Office of the County Recorder, Washington County, Minnesota.

This property is subject to various easements and restrictions of record.

WHEREAS, at its June 27, 2005 meeting, the Planning Commission reviewed and unanimously recommended approval of this Development Stage Plan/CUP/Preliminary Plat with conditions.

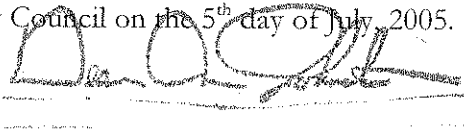
WHEREAS, the OP Development Stage Plan, the Conditional Use Permit and Preliminary Plat of FARMS OF LAKE ELMO was presented to the City Council at its July 5, 2005 City Council Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve and accept the OP Development Stage Plan, Conditional Use Permit, and Preliminary Plat of FARMS OF LAKE ELMO, per plans that staff dated June 30, 2005, and July 1, 2005, as the same on file with the City Administrator, based on the following Conditions:

1. Approval of all plans and specifications by the City Engineer (June 14, 2005 Memo).
2. Compliance with the recommendations of the Valley Branch Watershed District, as found applicable and practical by the City Engineer.

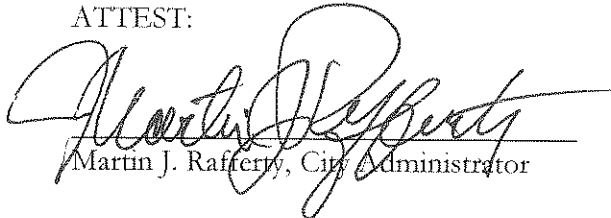
3. Public Use/Park Dedication shall be \$143,360, with credit to that amount for Public Trail construction east to west through Outlot B and Outlot A to Jamley Avenue.
4. Realignment of the Public Trail within Outlot B to intersect the east property line at a point as close as possible to the wetland at the northeast corner of the site.
5. Final Landscape Plan shall reflect additional tree planting along the west and south site border where abutting platted lands.
6. Recalculation and reconfiguration of lots/outlots for compliance of 33 lot plat with OP Preserved Open Space standards.
7. Follow staff recommendations for asphalt curbs according to plan.

ADOPTED, by the Lake Elmo City Council on the 5th day of July, 2005.



Dean Johnston, Mayor

ATTEST:



Martin J. Rafferty, City Administrator