

**City of Lake Elmo
Washington County, Minnesota**

Resolution No. 2005-059

**A RESOLUTION GRANTING A
COMPREHENSIVE PLAN AMENDMENT
GUIDING LAND USE FROM RAD TO PF
TO THE CITY OF LAKE ELMO**

WHEREAS, the City of Lake Elmo has made application for a Comprehensive Plan Amendment, amending the land use guiding from RAD to PF for the following parcel of land; to wit:

Legal Description

See Exhibit A

WHEREAS, the Lake Elmo Planning Commission considered this Comprehensive Plan Amendment request at its June 13, 2005 meeting, and recommended that the Comprehensive Plan Amendment be granted.

WHEREAS, the Comprehensive Plan Amendment request was presented to the City Council at its June 21, 2005 City Council Meeting where the following Findings were made:

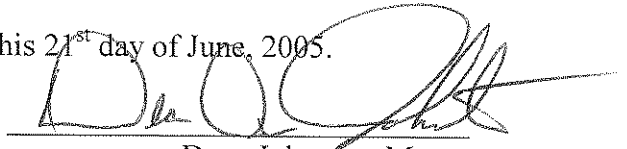
1. The City has experienced growth of public works and parks maintenance functions as the City has grown in recent years – and will continue to grow into the future. Also, existing City parks and public works maintenance facilities have deteriorated with time, and no longer adequately serve their earlier intended purposes. Those changing conditions dictate the need to designate a site in the Comprehensive Plan to accommodate the new and larger facilities.
2. The City's existing 75,000 gallon elevated water storage in the Old Village is both too small and improperly located to serve the expanded water service area that City growth and environmental consciousness requires. A well-balanced water supply system requires storage to be located remote from the water sources (wells) – preferably at the extreme ends of the system. The proposed site for the water tower would be the most responsive to this criterion given the well locations at the Old Village and at 55th Street North /Manning.
3. In recent weeks it has become apparent that some solution will be required for the private wells in the Tablyn Park area that have tested positive for chemical

contamination from the Old Lake Jane Landfill. If City water is to be one of the solutions to be considered, it is imperative that the new elevated storage be near the west edge of the City and near Highway 5. This is one of few sites that would qualify.

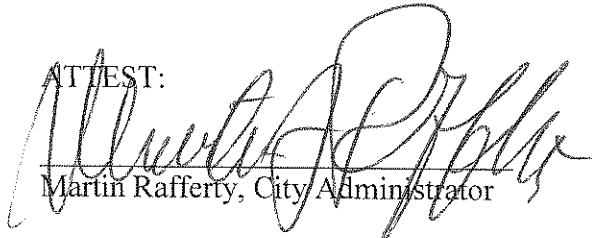
WHEREAS, the proposed Comprehensive Plan Amendment reflects a change in conditions for the City of Lake Elmo that supports a reguiding of the property described in Exhibit A from RAD to PF.

NOW, THEREFORE, BE IT RESOLVED that the land use designation on the Lake Elmo Comprehensive Plan for the foregoing described property is hereby amended from RAD to PF subject to review by the Metropolitan Council.

ADOPTED by the Lake Elmo City Council this 21st day of June, 2005.



Dean Johnston, Mayor

ATTEST:


Martin Rafferty, City Administrator

EXHIBIT A

PARCEL A

That part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 03 minutes 55 seconds East, bearing oriented to the Washington County Coordinate System, NAD 83, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 115.20 feet to the point of beginning of the parcel of land to be described; thence North 89 degrees 51 minutes 08 seconds East, a distance of 815.00 feet; thence South 00 degrees 03 minutes 55 seconds East, parallel with said west line, a distance of 400.00 feet to its intersection with the north line of State Trunk Highway No. 5; thence South 89 degrees 51 minutes 08 seconds West, along said north line, a distance of 815.00 feet to its intersection with said west line of the Northwest Quarter of the Southwest Quarter; thence North 00 degrees 03 minutes 55 seconds West, along said west line, a distance of 400.00 feet to the point of beginning.

This parcel contains 7.484 acres, more or less.

This parcel is together with an easement for ingress and egress over, under and across that part of said Northwest Quarter of the Southwest Quarter and over, under and across that part of the Southwest Quarter of the Northwest Quarter of said Section 16 described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 03 minutes 55 seconds East, bearing oriented to the Washington County Coordinate System, NAD 83, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 115.20 feet; thence North 89 degrees 51 minutes 08 seconds East, a distance of 75.00 feet to its intersection with the east line of County State Aid Highway No. 13 as described in Document Number 943070, on file and of record in the Office of the County Recorder, Washington County, Minnesota and to the point of beginning of the easement to be described; thence continue North 89 degrees 51 minutes 08 seconds East, a distance of 58.00 feet; thence North 00 degrees 03 minutes 55 seconds West, a distance of 410.01 feet; thence North 13 degrees 24 minutes 28 seconds East, a distance of 287.57 feet; thence North 00 degrees 03 minutes 54 seconds West, a distance of 150.00 feet to its intersection with a northerly line of that parcel described in Certificate of Title No. 21020 which is on file and of record in the Office of the Registrar of Titles, Washington County, Minnesota; thence South 89 degrees 38 minutes 24 seconds West, along said northerly line, a distance of 125.00 feet to its intersection with said east line of County State Aid Highway No. 13; thence South 00 degrees 03 minutes 54 seconds East, along said east line, a distance of 724.01 feet; thence South 00 degrees 03 minutes 55 seconds East, along said east line, a distance of 115.09 feet to the point of beginning.

This parcel is subject to a highway easement for County State Aid Highway No. 13 as described in Document Number 943070.

This parcel is also subject to access control to said State Trunk Highway No. 5 as described in Document No. 29016, on file and of record in said Office of the Registrar of Titles, Washington County, Minnesota.

The above legal descriptions are subject to modification as required by the Washington County Examiner of Titles.