

## PLANNING COMMISSION

DATE: 08/22/2016  
ITEM #: 4b - PUBLIC HEARING  
CASE #2016-32

**AGENDA ITEM:** Village Preserve Drainage and Utility Easement Vacation of Outlots C, G, & H  
**SUBMITTED BY:** Emily Becker, City Planner  
**REVIEWED BY:** Stephen Wensman, Planning Director

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### **BACKGROUND:**

*Applicant:* GWSA Land Development, LLC  
*Owner:* GWSA Land Development, LLC  
*Location:* Village Preserve Outlots C, G, & H  
PID #s 1202921330050 (Outlot C), 1202921330054 (Outlot G), 1202921330055 (Outlot H)  
*Request:* Vacate Drainage and Utility Easements over the whole of aforementioned Outlots.  
*Applicable Regulations:* M.S. 412.851

GWSA Land Development, LLC recorded easements over all of Outlots C, G, & H as required by a condition of approval for the Final Plat for Village Preserve. Final Plat for Village Preserve 2<sup>nd</sup> Addition (Outlots C, G, & H of Village Preserve) was approved by Council in April.

### **PROPOSAL DETAILS/ANALYSIS:**

The aforementioned drainage and utility easements were put in place until the outlots were final platted. Village Preserve 2<sup>nd</sup> Addition has been approved by the City Council and the drainage and utility easements need to be vacated in order for GWSA to record the plat. New easements will be put into place as required with the recording of the Village Preserve 2<sup>nd</sup> Addition.

### **FISCAL IMPACT:**

There is no fiscal impact as new easements as required by Final Plat Approval of Village Preserve 2<sup>nd</sup> Addition will be recorded.

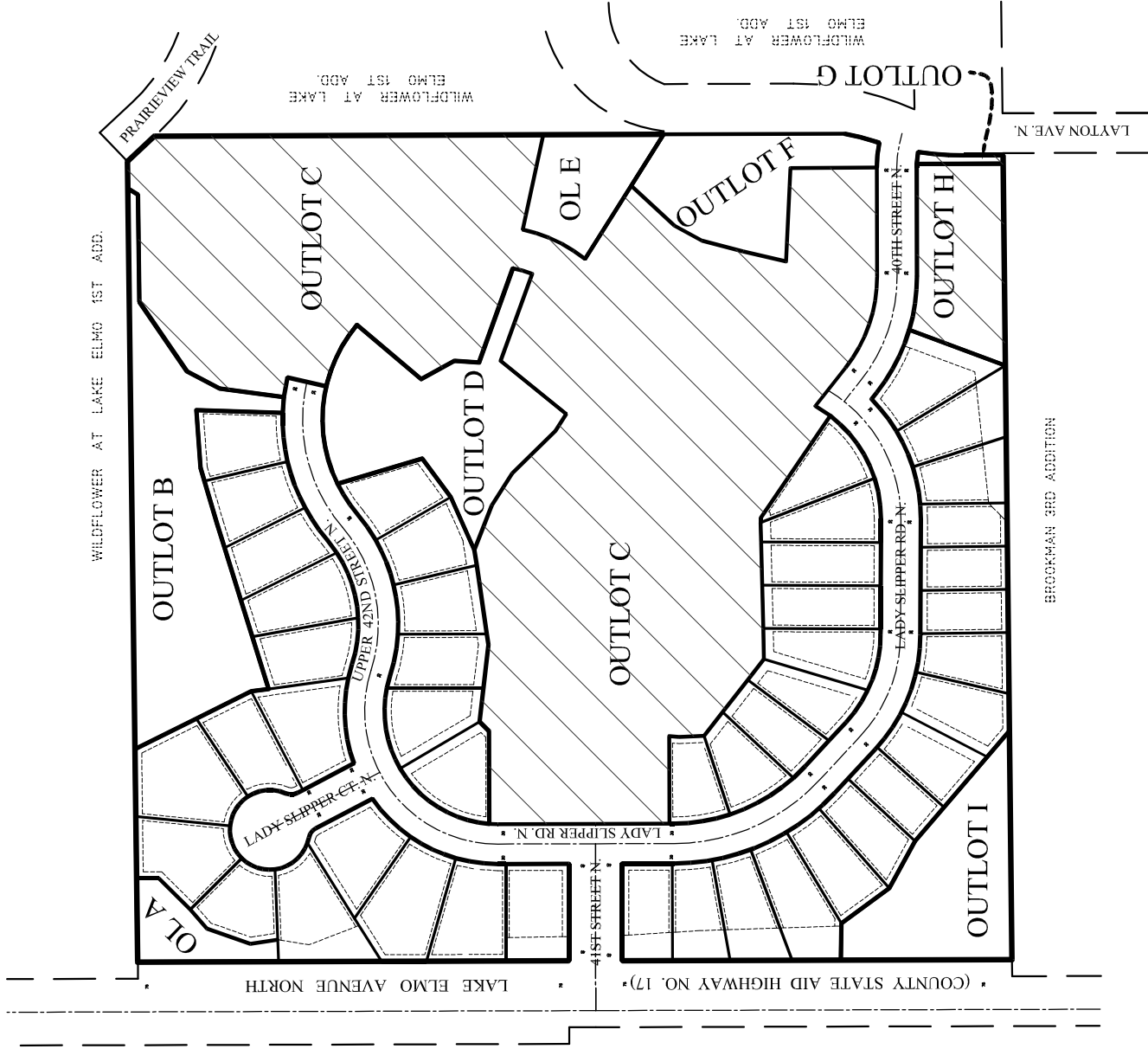
### **RECOMMENDATION:**

Based on the foregoing, Staff recommends the Planning Commission recommend approval of the requested easement vacation:

***“Move to recommend approval of a request to vacate drainage and utility easements of Outlots C, G, & H as recorded on the Final Plat of Village Preserve.”***

### **ATTACHMENTS:**

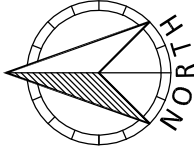
1. Exhibit of Outlots C, G, & H of Village Preserve (easements to be vacated).



**PROPOSED EASEMENT VACATION DESCRIPTION**

Vacating the drainage and utility easements over OUTLOTS C, G, and H, as dedicated on VILLAGE PRESERVE, according to the recorded plat thereof, Washington County, Minnesota.

Proposed Easement Vacation Area

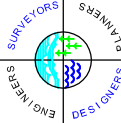


I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 10th day of May, 2006.

SATHRE-BERGQUIST, INC.

*David B. Pemberton*  
David B. Pemberton, PLS  
pemberton@sathre.com  
Minnesota License No. 40344



**SATHRE-BERGQUIST, INC.**  
150 South Broadway Ave.  
Wayzata, MN. 55391  
(952) 476-6000 www.sathre.com

**Easement Vacation Exhibit**  
Prepared For  
GWSA Land Development, LLC.

Date: 05/10/16	Revision Date:
Prepared By: DBP	Check By: DBP
Layout Sheet: ESMT VAC EXHIBIT	
Project Number: 3120-047-200	

# VILLAGE PRESERVE

**KNOW ALL PERSONS BY THESE PRESENTS:** That GWSA Land Development, LLC, a Minnesota limited liability company, fee owner, of the following described property situated in the State of Minnesota, County of Washington, to wit:

The Southwest Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota.

Has caused the same to be surveyed and platted as VILLAGE PRESERVE and does hereby dedicate to the public for public use the public way, as shown on the plat and also dedicate the drainage and utility easements as created by this plat.

In witness whereof said GWSA Land Development, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: GWSA Land Development, LLC.

\_\_\_\_\_  
Craig Allen, Chief Manager

## STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 , by Craig Allen, Chief Manager of GWSA Land Development, LLC, a Minnesota limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public, Hennepin County, Minnesota

My Commission Expires: \_\_\_\_\_ Printed Name

## SURVEYORS CERTIFICATION

I David B. Pemberton do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
David B. Pemberton, Licensed Land Surveyor  
Minnesota License No. 40344

## STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by David B. Pemberton.

\_\_\_\_\_  
Notary Public, Hennepin County, Minnesota

My Commission Expires \_\_\_\_\_ Printed Name

## LAKE ELMO, MINNESOTA PLANNING COMMISSION

Approved by the Planning Commission of the city of Lake Elmo, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2015 .

Signed: \_\_\_\_\_  
Chair, Planning Commission

Singed: \_\_\_\_\_  
Secretary, Planning Commission

## LAKE ELMO, MINNESOTA

This plat of VILLAGE PRESERVE was approved by the City Council of the City of Lake Elmo, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2015 , and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed: CITY OF LAKE ELMO

By: \_\_\_\_\_ Mayor

By: \_\_\_\_\_ Clerk

## COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_ Washington County Surveyor

By: \_\_\_\_\_

## COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, and Section 272.12, taxes payable in the year 2015, on real estate hereinbefore described, have been paid; and there are no delinquent taxes, and transfer entered on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 .

By: \_\_\_\_\_ Washington County Auditor/Treasurer

By: \_\_\_\_\_ Deputy

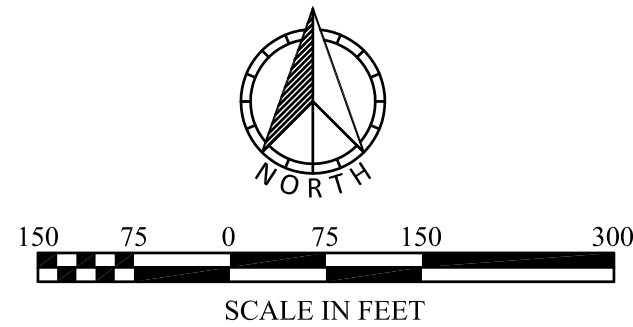
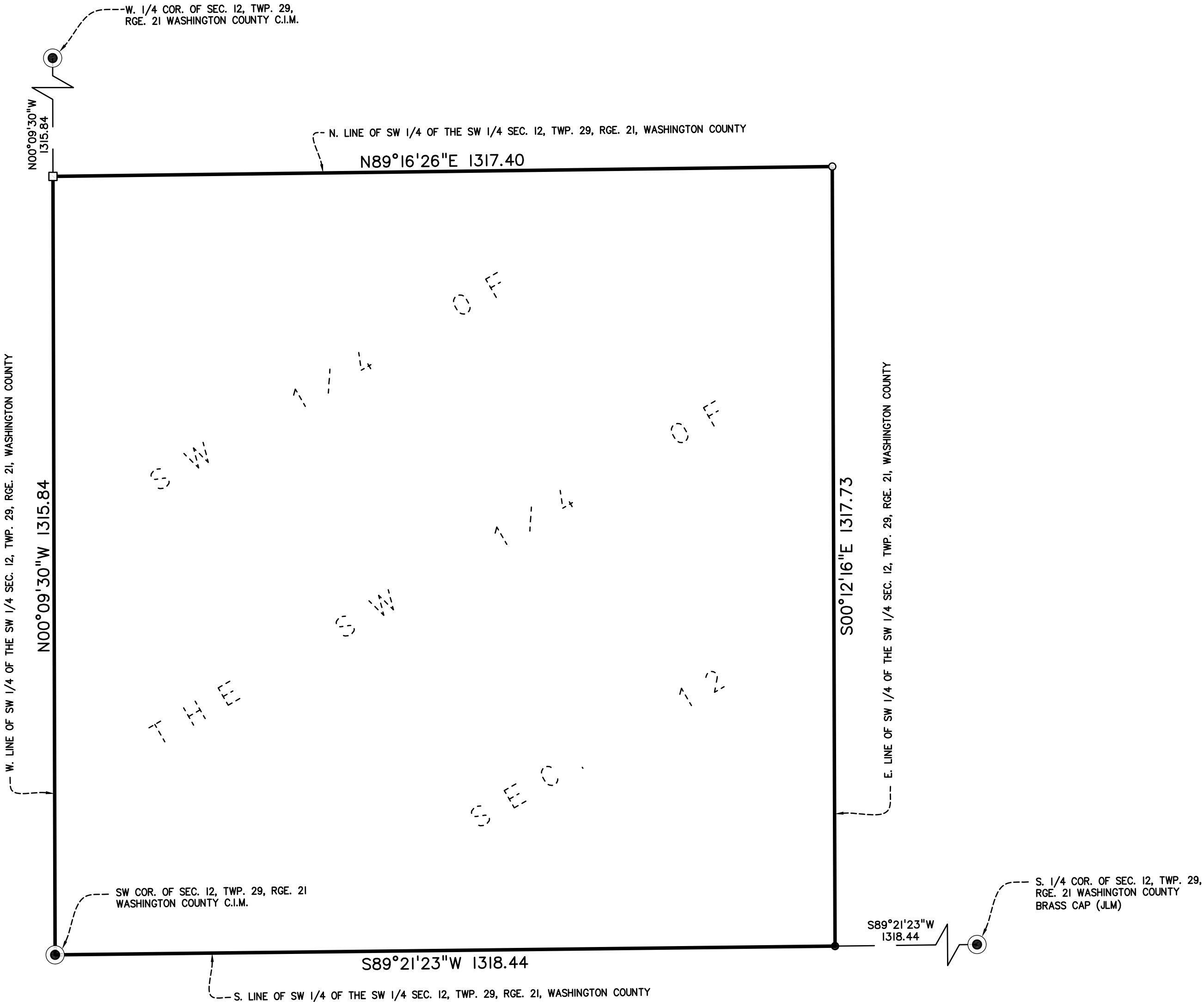
## COUNTY RECORDER

Document Number \_\_\_\_\_

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 , at \_\_\_\_\_ o'clock \_\_\_\_\_. M. and was duly recorded in Washington County Records.

By: \_\_\_\_\_ Washington County Recorded

By: \_\_\_\_\_ Deputy

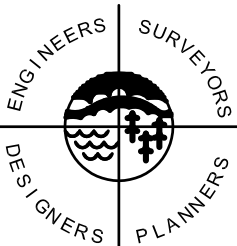
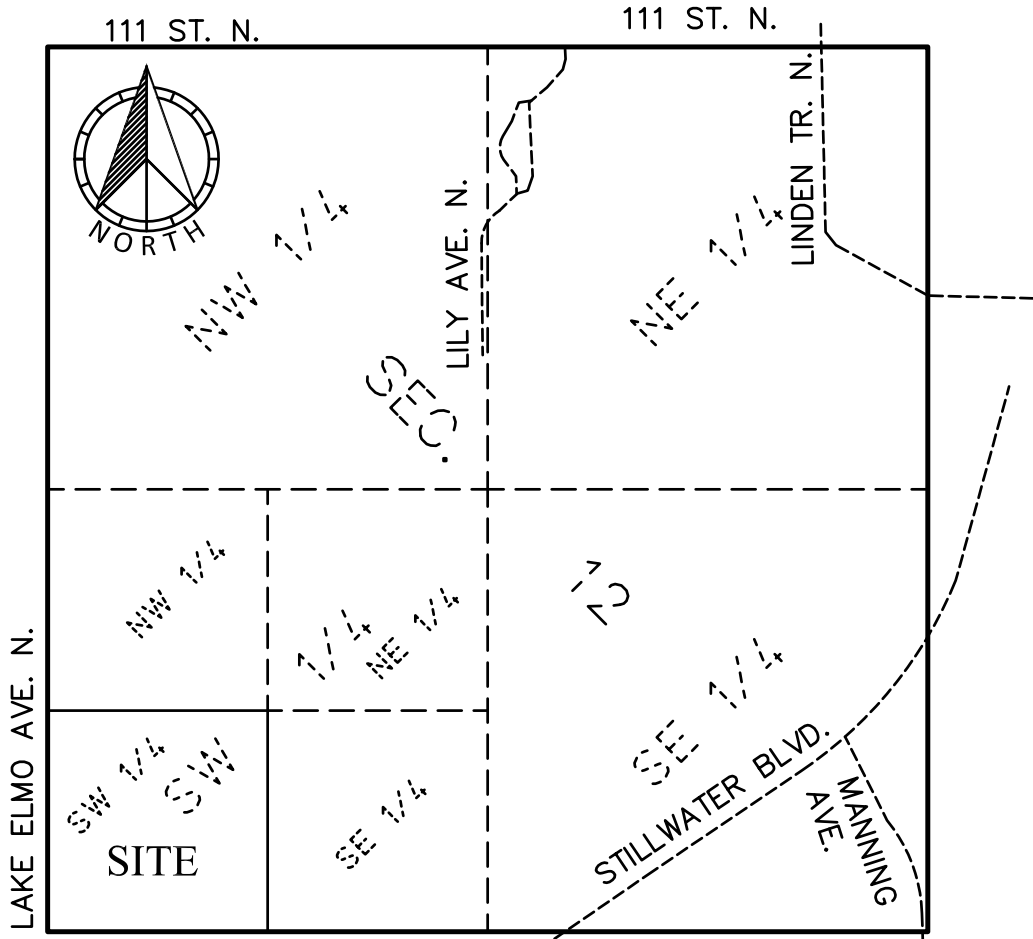


- Denotes a 1/2 inch by 14 inch iron pipe set in the ground and marked by License No. 40344
- Denotes a Found Iron Monument
- Denotes Set nail and disc marked by License No. 40344
- ⊙ Denotes a Cast-Iron-Monument

The basis for the bearing system of this plat is the west line of Southwest Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota is assumed to have a bearing of North 00 degrees 09 minutes 30 seconds West (Washington County coordinate system NAD 83/ 1986 Adj.)

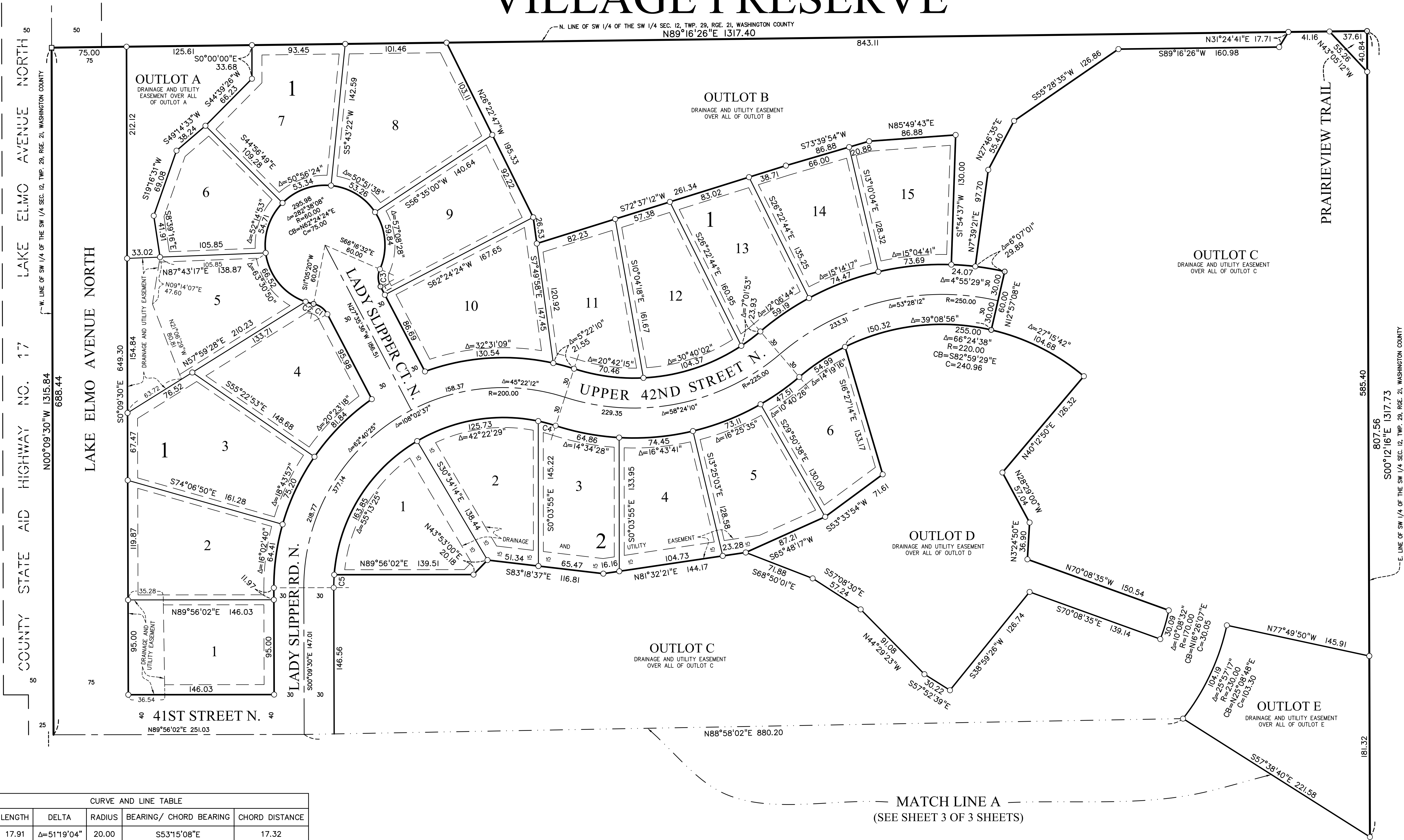
## LOCATION MAP

SECTION 12, TWP. 29N., RGE. 21W.  
NOT TO SCALE



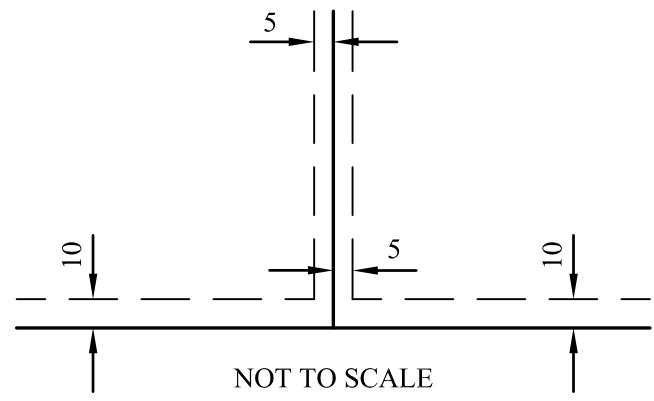
**SATHRE-BERGQUIST, INC.**

VILLAGE PRESERVE

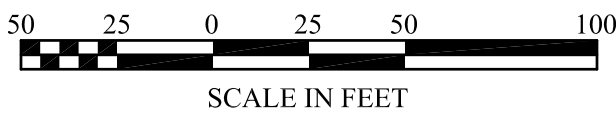


CURVE AND LINE TABLE					
TAG #	LENGTH	DELTA	RADIUS	BEARING/ CHORD BEARING	CHORD DISTANCE
C1	17.91	$\Delta=51^{\circ}19'04''$	20.00	S53°15'08"E	17.32
C2	8.31	$\Delta=7^{\circ}55'55''$	60.00	S74°56'43"E	8.30
C3	17.91	$\Delta=51^{\circ}19'04''$	20.00	N1°56'04"W	17.32
C4	18.04	$\Delta=6^{\circ}04'51''$	170.00	S75°09'19"E	18.03
C5	12.95	$\Delta=4^{\circ}21'52''$	170.00	S2°01'25"W	12.95
L1	9.39			N27°35'36"W	

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

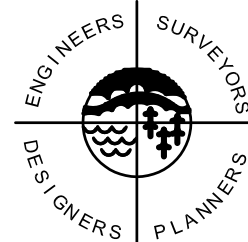


Being 5 feet in width when adjoining side lot lines, unless otherwise indicated, and 10 feet in width when adjoining public ways and rear lot lines, unless otherwise indicated, as shown on the plat.



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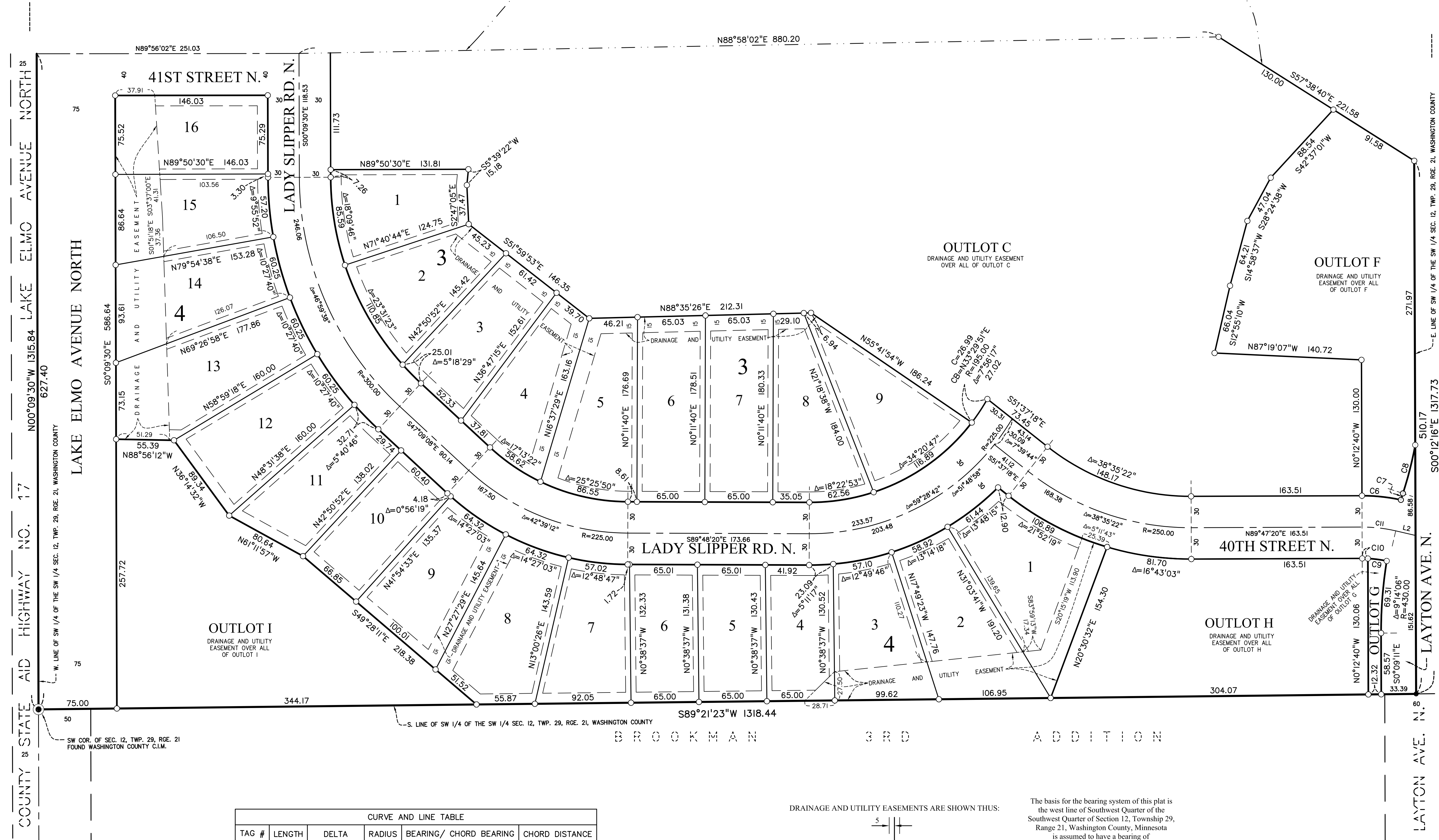


SATHRE-BERGQUIST, INC.

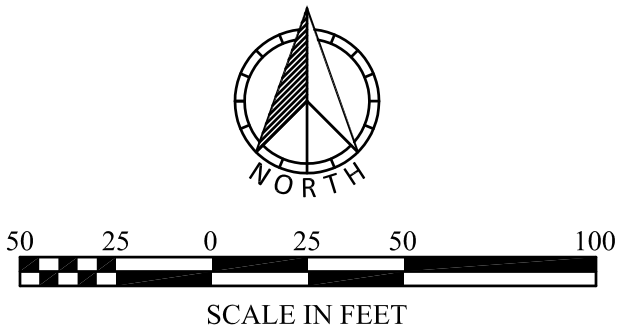


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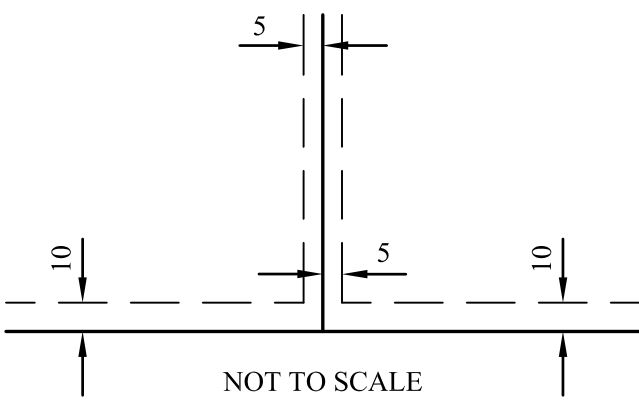
MATCH LINE A  
(SEE SHEET 2 OF 3 SHEETS)



CURVE AND LINE TABLE					
TAG #	LENGTH	DELTA	RADIUS	BEARING/ CHORD BEARING	CHORD DISTANCE
C6	37.54	$\Delta=12^{\circ}39'07''$	170.00	N83°53'07"W	37.46
C7	6.53	$\Delta=0^{\circ}52'11''$	430.00	S17°31'08"W	6.53
C8	47.80	$\Delta=7^{\circ}24'10''$	370.00	S14°15'08"W	47.77
C9	18.20	$\Delta=9^{\circ}28'52''$	110.00	S82°39'00"E	18.18
C10	5.42	$\Delta=2^{\circ}49'14''$	110.00	N88°48'03"W	5.41
C11	32.49	$\Delta=13^{\circ}17'45''$	140.00	S83°33'48"E	32.42
L2	19.47			S76°54'55"E	



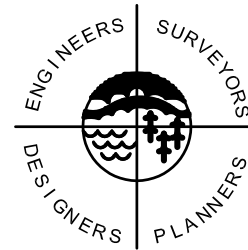
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