

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

RESOLUTION NO. 2023-025

*A RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR DPS LAKE ELMO
3RD ADDITION*

WHEREAS, the City of Lake Elmo (the “City”) is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Hendrix Apartments, LLC, a Minnesota limited liability company (the “Applicant”) previously submitted an application to the City for a final plat and final PUD plan for DPS Lake Elmo 3rd Addition; and

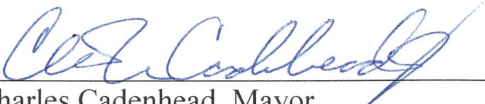
WHEREAS, the Lake Elmo City Council adopted Resolution No. 2022-103 on November 1, 2022 approving the final plat and Resolution No. 2022-124 on December 20, 2022 approving the final PUD plan for DPS Lake Elmo 3rd Addition (collectively, the “Resolutions”); and

WHEREAS, the conditions of approval of the final plat and final PUD plan in the Resolutions included a requirement that the Applicant enter into a development agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore; and

NOW, THEREFORE, the City Council of the City of Lake Elmo hereby:

1. Approves the Development Agreement for DPS Lake Elmo 3rd Addition and authorizes the Mayor and City Clerk to execute it. The City Attorney is authorized to insert a list of the plan documents approved by the City Engineer in Exhibit B of the Development Agreement.

Passed and duly adopted this 21st day of March, 2023 by the City Council of the City of Lake Elmo, Minnesota.


Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk