

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

RESOLUTION NO. 2024-016

*A RESOLUTION APPROVING AN EXTENSION FOR THE RECORDING OF THE FINAL
PLAT FOR EASTON VILLAGE 6th ADDITION*

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

WHEREAS, Chase Development, Inc., 2140 County Road 42, Burnsville, MN (the “Developer”) submitted an application to the City of Lake Elmo (the “City”) for a final plat for Easton Village 6th Addition, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, on August 15, 2023, the Lake Elmo City Council adopted Resolution 2023-079 approving the Easton Village 6th Addition final plat; and

WHEREAS, Resolution 2023-079 required the final plat of Easton Village 6th Addition to be recorded within 180 days of approval or else the preliminary plat and final plat will be considered expired; and

WHEREAS, City Code also requires a final plat to be recorded within 180 days of approval to remain valid unless an extension is otherwise granted by the City Council; and

WHEREAS, the Developer has submitted a request for an extension to the recording deadline of the approved final plat to allow for additional time to address engineering comments and the Development Agreement; and

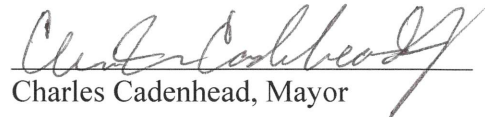
NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve an extension of the deadline for recording the final plat for Easton 6th Addition, and hereby extends the final plat recording deadline to February 11, 2025, and that the revised conditions of approval are:

- 1) When constructed, building address numbers shall be plainly visible from the street fronting the property and shall be contrasting color from the background to the satisfaction of the Fire Chief.
- 2) Before the release of the final plat by the City for recording, the Developer shall enter into a Developer’s 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 for the subdivision with financial guarantees therefor.

- 3) The Developer shall provide a disclosure statement to all initial home buyers in the development advising them of the location of the Lake Elmo Airport and associated overhead flights.
- 4) All builders shall be encouraged by the Developer to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.
- 5) The Developer must notify all home builders about the City's outdoor watering restrictions and that all home builders must notify all home buyers that the City has imposed limits on outdoor water use including a limit of 2 days per week of watering. Said decision about whether this notice is no longer required shall be made at the sole discretion of the City. The Developer shall have the City approve the notification message before the release of the final plat by the City for recording.
- 6) The Developer must provide adequate title evidence satisfactory to the City Attorney prior to the final plat being released by the City for recording.
- 7) The Developer must pay for a portion of the City's costs to secure, build, and install a public railroad crossing. The amount of the cash payment for the Developer's share of the public railroad crossing is \$965.00. Said payment must be made to the City prior to the final plat being released for recording.
- 8) The Developer shall pay the required AUAR fee prior to release of building permits.
- 9) The temporary construction easement agreement that was granted by the Developer to the City in 2020 to accommodate the Village Parkway railroad crossing project must be renewed and extended by the Developer for a five year period from date of this Resolution.

Passed and duly adopted this 6th day of February 2024, by the City Council of the City of Lake Elmo, Minnesota.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk