

**CITY OF GRANT, MINNESOTA**  
**RESOLUTION NO. 2008-14**

**RESOLUTION APPROVING A MAJOR SUBDIVISION FOR AXDAHL-JACOBS-  
LEMANSKI**

**WHEREAS**, Robb and Julie Jacobs, Leslie and Brian Axdahl, and Joel and Michelle LeManski (“Applicants”) have submitted an application for approval of a Major Subdivision for 5 parcels located at 7330 Manning Avenue, 7340 Manning Avenue, 7400 Manning Avenue and 7452 Manning Avenue in the City of Grant, Minnesota; and

**WHEREAS**, the properties are legally described as follows:

Parcel 25-030-21-41-0007

All that part of the Northeast Quarter of the Southeast Quarter of Section 25, Township 30 North, Range 21 West, Washington County, Minnesota, described as follows:

Beginning at the northeast corner of said Northeast Quarter of the Southeast Quarter; thence on an assumed bearing of South 00 degrees 46 minutes 54 seconds East, along the east line of said Northeast Quarter of the Southeast Quarter, a distance of 405.89 feet; thence North 84 degrees 44 minutes 45 seconds West a distance of 481.47 feet; thence South 00 degrees 46 minutes 54 seconds East a distance of 410.24 feet; thence South 88 degrees 43 minutes 11 seconds West a distance of 188.26 feet to the east line of the west 660.00 feet of said Northeast Quarter of the Southeast Quarter; thence North 00 degrees 38 minutes 33 seconds West, along said east line, a distance of 100.01 feet to the north line of the south 659.40 feet of said Northeast Quarter of the Southeast Quarter; thence South 88 degrees 43 minutes 11 seconds West, along said north line, a distance of 330.02 feet to the east line of the west 330.00 feet of said Northeast Quarter of the Southeast Quarter; thence North 00 degrees 38 minutes 33 seconds West, along said east line, a distance of 659.07 feet to the north line of said Northeast Quarter of the Southeast Quarter; thence North 88 degrees 35 minutes 20 seconds East, along said north line, to the point of beginning.

Excepting therefrom that part platted as WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 22, and WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 157.

Subject to a non-exclusive easement over an existing private road described on Document Number 393664, recorded in the Office of the County Recorded for Washington County, Minnesota.

Parcel 25-030-21-41-0004

The south 659.40 feet of the east 330.00 feet of the west 660.00 feet of the Northeast Quarter of the Southeast Quarter of Section 25, Township 30 North, Range 21 West, City of Grant, Washington County, Minnesota. This parcel contains 5.0 acres, and is subject to a non-exclusive easement over an existing private road as described on Document Number 393664, recorded in the Office of the County Recorded for Washington County, Minnesota.

Parcel 25-030-21-41-0006

All that part of the Northeast Quarter of the Southeast Quarter (NE1/4 of the SE1/4) of Section 25, Township 30 North, Range 21 West, Washington County, Minnesota, described as follows:

Beginning at the southeast corner of said Northeast Quarter of the Southeast Quarter; thence North along the east line thereof a distance of 180.00 feet; thence West, parallel with the south line of said Northeast Quarter of the Southeast Quarter, a distance of 273.00 feet; thence South, parallel with the east line of said Northeast Quarter of the Southeast Quarter, a distance of 180.00 feet; thence East, along the south line of said Northeast Quarter of the Southeast Quarter, a distance of 273.00 feet to the point of beginning, lying westerly of the westerly line of WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 157 – C.S.A.H. 15, on file and of record in the office of the County Recorder, Washington County, Minnesota.

Parcel 25-030-21-41-0010

All that part of the Northeast Quarter of the Southeast Quarter (NE1/4 of the SE1/4) of Section 25, Township 30 North, Range 21 West, City of Grant, Washington County, Minnesota, which lies southerly of WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 22, and westerly of WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 157, on file and of record in the office of the County Recorder, Washington County, Minnesota.

Excepting therefrom the south 659.40 feet of the east 330.00 feet of the west 660.00 feet of said Northeast Quarter of the Southeast Quarter.

Also excepting therefrom that parcel of land described in Document Number 393644 recorded in the office of the County Recorder, Washington County, Minnesota.

Also excepting therefrom that parcel of land described in Document Number 399044 recorded in the office of the County Recorder, Washington County, Minnesota.

Also excepting therefrom that parcel of land described in Book 226 of Deeds, Page 590, recorded in the office of the County Recorder, Washington County, Minnesota.

Also excepting therefrom the following described parcel: Commencing at the southeast corner of said Northeast Quarter of the Southeast Quarter; thence Northerly, along the east line of said Northeast Quarter of the Southeast Quarter, a distance of 291.50 feet to the point of beginning of the parcel of land to be described; thence continuing Northerly, along said east line of the Northeast Quarter of the Southeast Quarter, a distance of 230.00 feet; thence Westerly, at a right angle to said east line of the Northeast Quarter of the Southeast Quarter, a distance of 290.00 feet; thence Southerly, parallel with said east line of the Northeast Quarter of the Southeast Quarter, a distance of 230.00 feet; thence Easterly, at a right angle to said east line of the Northeast Quarter of the Southeast Quarter, a distance of 290.00 feet to the point of beginning.

Also excepting therefrom the following described parcel: All that part of the Northeast Quarter of the Southeast Quarter of Section 25, Township 30 North, Range 21 West, Washington County, Minnesota, described as follows:

Beginning at the northeast corner of said Northeast Quarter of the Southeast Quarter; thence on an assumed bearing of South 00 degrees 46 minutes 54 seconds East, along the east line of said Northeast Quarter of the Southeast Quarter, a distance of 405.89 feet; thence North 84 degrees 44 minutes 45 seconds West a distance of 481.47 feet; thence South 00 degrees 46 minutes 54 seconds East a distance of 410.24 feet; thence South 88 degrees 43 minutes 11 seconds West a distance of 188.26 feet to the east line of the west 660.00 feet of said Northeast Quarter of the Southeast Quarter; thence North 00 degrees 38 minutes 33 seconds West, along said east line, a distance of 100.01 feet to the north line of the south 659.40 feet of said Northeast Quarter of the Southeast Quarter; thence South 88 degrees 43 minutes 11 seconds West, along said north line, a distance of 330.02 feet to the east line of the west 330.00 feet of said Northeast Quarter of the Southeast Quarter; thence North 00 degrees 38 minutes 33 seconds West, along said east line, a distance of 659.07 feet to the north line of said Northeast Quarter of the Southeast Quarter; thence North 88 degrees 35 minutes 20 seconds East, along said north line, to the point of beginning.

This parcel is subject to a non-exclusive easement over an existing private road as described on Document Number 393664, recorded in the Office of the County Recorder for Washington County, Minnesota.

Parcel 25-030-21-41-0002

The westerly 330.00 feet of the Northeast Quarter of the Southeast Quarter (NE1/4 of the SE1/4) of Section 25, Township 30 North, Range 21 West, together with a non-exclusive easement over the existing private road as now traveled being 15 feet on each side of the centerline of said road

which now runs in a westerly direction from Highway 15 to the land hereby conveyed, the “private road as now traveled” is the former street or right of way, Washington County, Minnesota.

**WHEREAS**, the Planning Commission considered the Applicant’s request at a duly noticed Public Hearing which took place on June 16, 2008, and has recommended approval to the City Council subject to a number of conditions; and

**WHEREAS**, the City Council for the City of Grant considered the Planning Commission’s recommendation at its July 1, 2008, regular City Council meeting; and

**WHEREAS**, the application for subdivision results from Washington County’s proposed improvements to Manning Avenue and the impacts of the improvements on the Applicants’ respective properties;

**WHEREAS**, the application is unique because it is a direct result of the County’s proposed improvements and not a product of other development; and

**WHEREAS**, the proposed subdivision will regularize the lot lines within the subdivision, reducing the number of lots from five to four, in compliance with the City’s density requirements and further eliminating two existing nonconforming lots; and

**WHEREAS**, the subdivision will allow the Masterman house to be preserved and moved to a new site within the subdivision, which has historic value for the City of Grant; and

**WHEREAS**, the new subdivision will include a new public street and closing of four existing accesses to Manning Avenue, thereby improving the safety of Manning Avenue for residents of Grant and all users of that County roadway; and

**WHEREAS**, the Applicants have proposed other improvements that will prove beneficial to the residents of the City of Grant;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA**, that it does hereby approve the application of Robb and Julie Jacobs, Leslie and Brian Axdahl and Joel and Michelle LeManski for a Major Subdivision; and

**FURTHER BE IT RESOLVED**, that approval of the subdivision shall be conditioned upon the following:

1. The Applicants shall submit final plans and the final plat to the City for approval prior to recording of the final plat, which plans shall be generally consistent with Plan Option A

submitted to the City Council on June 23, 2008, with the changes recommended in these conditions.

2. All lot sizes, setbacks and other standards must comply with the minimum standards contained within the City's Code of Ordinances.
3. The Applicants shall address any comments from the Washington Conservation District and Brown's Creek Watershed District regarding storm water management.
4. The Applicants shall obtain approval of the proposed sewage treatment systems and wells from the Washington County Department of Public Health and Environment.
5. The Applicants shall obtain the necessary county approval for access for the proposed street prior to construction of the street.
6. All current access to the properties involved in the subdivision shall be removed at a time specified by Washington County, after the new street is open to traffic.
7. The Applicants shall provide a single access for the parcels, aligning with Settlers Way.
8. The access shall be a public roadway, and shall be designed and constructed to meet the City's minimum standards for a gravel roadway. The City Engineer shall approve the roadway plans and specifications.
9. The Applicants and their successors shall be responsible for the maintenance of the new public roadway and shall be required to enter into a Roadway Maintenance Agreement to be recorded against the properties created by the approved subdivision. The applicants shall place in escrow with the City that amount of \$5,000 to secure future maintenance of the roadway. In the event the Applicants fail to properly maintain the roadway, the City shall be entitled to access the escrow for the purpose of reimbursement for maintenance costs associated with the roadway.
10. The Applicants shall enter into a Development Agreement with the City as prepared by the City Attorney which shall more fully set forth the duties and responsibilities of the Applicants.
11. All fees and escrows as required by the City must be paid current.
12. The Applicants shall be responsible for all costs incurred by the City and its consultants – City Attorney, City Planner, City Engineer – in reviewing their application, preparing the Development Agreement and finalizing the plat.

Adopted by the Grant City Council this 5th day of August, 2008.

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Tom Carr, Mayor

State of Minnesota                    )  
  ) ss.  
County of Washington                )

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on August 5, 2008 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Kim Points  
Clerk  
City of Grant