

**CITY OF GRANT, MINNESOTA**  
**RESOLUTION NO. 2009-12**

**RESOLUTION APPROVING A MAJOR SUBDIVISION FOR SUNNYBROOK PONDS**

**WHEREAS**, Dewey Dau, on behalf of the Estate of Elizabeth M. Dau, has submitted an application for approval of a Major Subdivision for six parcels located at 7611 Jamaca Avenue North in the City of Grant, Minnesota; and

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

N ½ of W ½ of E1/2 of NW1/4, Section 27, Township 30, Range 21, that lies on the South and East side of the Minneapolis, St. Paul and Sault Ste. Marie Railway right of way and subject to a public easement over a strip of land running along the SE side of said railroad right of way, now used as a public cartway,

AND

SW1/4 of NW1/4, Section 27, Township 30, Range 21, except the right of way of Wisconsin Central Railway Company now operated by the Minneapolis, St. Paul and Sault Ste. Marie Railway Company,  
AND

All that part of NW1/4 of NW1/4, Section 27, Township 30, Range 21, lying south and east of said railroad right of way,

THE FOLLOWING ARE ALL EXCEPTIONS TO THE ABOVE-DESCRIBED PARCELS OF REAL ESTATE:

Exception No. 1:

That part of the NW1/4 of Section 27, Township 30, Range 21, described as follows:  
Commencing at the NW Corner of Section 27, Township 30, Range 21; thence South on the

West line of said Section a distance of 1541.2 feet to the point of beginning of the parcel to be described; thence East on a 90° angle a distance of 138 feet to iron pipe set; thence South on a line parallel with the West line of said section a distance of 207.4 feet to the point of beginning. Containing 0.65 acres more or less. Area staked outside of roadway contains 0.5 acres more or less.

Exception No. 2:

The North 201.18 feet of the South 435.36 feet of the West 275 feet of the NW ¼ of Section 27, Township 30, Range 21, subject to road rights the public has acquired in the W'ly 33 feet of the above-described parcel.

Exception No. 3:

That part of the NW1/4 of Section 27, Township 30, Range 21, described as follows: Commencing at the NW corner of Section 27; thence South along the W'ly line of said section, 1541.2 feet to a point; thence on a deflection angle of 90° to the left, 136 feet to the point of beginning of the parcel to be described; thence continuing on same line a distance of 98.85 feet to a point; thence on a deflection angle of 90° to the right a distance of 207.4 feet to a point; thence on a deflection angle of 90° to the right a distance of 98.85 feet to a point; thence on a deflection angle of 90° to the right a distance of 207.4 feet to the point of beginning, and containing ½ acre more or less.

Exception No. 4:

All that part of the NW ¼ of Section 27, Township 30 North, Range 21 West, described as follows: Commencing at the NW corner of said Section 27; thence South along the Westerly line of said Section 1541.2 feet to a point; thence East 33 feet to the point of beginning; thence East 203.85 feet; thence South 207.4 feet; thence East 223.81 feet; thence North 30 degrees East 239.48 feet; thence North 43 degrees 26 minutes 30 seconds East, 167 feet; thence North 46 degrees 33 minutes 30 seconds West, 450 feet, more or less to a point, said point being located radially and 110 feet in a Southeasterly direction from the centerline of the Soo Line Railroad as now laid and operated; thence in a Southwesterly direction along said 110 feet concentric line for 505 feet, more or less, to an intersection with a line that is parallel to and 33 feet Easterly from the Westerly line of said Westerly line of said NW1/4; thence South on said 33 feet line for 50 feet, more or less, to the point of beginning, and including any rights retained in adjacent Grant Crossing and Wood Pile Lake Roads, except Parcel No. 5 of Washington County Highway Right-of-Way Plat No. 79, according to the United States Government Survey thereof.

Exception No. 5:

All that part of the NW ¼ of the NW ¼ of Section 27, in Township 30 North, of Range 21 West, described as follows:

Commencing at the intersection of the Easterly line of said NW ¼ of NW ¼ with a line that is parallel to and 110.00 feet Southwesterly from the centerline of the Soo Line Railroad as now laid and operated across the said NW ¼ of NW ¼; thence Southwesterly along said 110.00 feet line for 596.00 feet to the point of beginning of this description; thence on a deflection angle of 90° to the left for 560.00 feet, more or less, to a point in the Easterly line of said NW ¼ of NW ¼; thence on a deflection angle of 90° to the right for 394.00 feet thence on a deflection angle of 90° to the right for 560.00 feet, more or less to the said 110.00 feet line; thence on a deflection angle to the right along said 110.00 feet line for 394.00 feet to the point of beginning, according to the United States Government Survey thereof and situate in Washington County, Minnesota.

Property ID#: 27-030-21-23-0001  
27-030-21-21-0001

**WHEREAS**, the Planning Commission considered the Applicant's request at a duly noticed Public Hearing which took place on March 16, 2009, and subsequently reviewed the request at a Planning Commission meeting on April 20, 2009; and

**WHEREAS**, the Planning Commission has recommended approval of the Major Subdivision to the City Council subject to a series of conditions;

**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 Dewey Dau on behalf of the Estate of Elizabeth M. Dau; and

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

1. Preliminary Plat Option B1 presented by the applicant at the May 5, 2009 Council meeting (and dated May 5, 2009) is the approved option. The Final Plat submitted to the City Council for approval must be in substantial compliance with Option B1 and must satisfy the conditions as provided herein.
2. The Applicant shall revise Lot 2 to correctly label and measure the 150-foot setback from the centerline of CSAH 9, and verify the buildable area of lots 1 and 2.
3. The applicant shall submit of an approved wetland delineation, and shall be required to obtain the verification and approval of the wetland delineation report by the Valley Branch Watershed District and the City Engineer.
4. The Applicant shall verify and provide to the City the buildable area for each lot based on the Wetland Delineation that is verified and approved by the Valley Branch Watershed District.

5. The Applicant shall remove the kitchen facilities from the guest house located on Lot 2 with the existing home site to meet ordinance requirements.
6. The Applicant shall dedicate a minimum 60-foot roadway right-of-way along Jeffrey Boulevard North to the City as determined and approved by the City Engineer.
7. The Applicant shall dedicate an easement, as determined and approved by the City Engineer and the City Attorney, to provide for storm water management along Jeffrey Boulevard North from CSAH 9 to the east boundary of the plat. The Applicant must address drainage, grading and erosion control requirements at the time of building permit application.
8. The Applicant must address the Valley Branch Watershed District's comments provided in the District's letter dated March 20, 2009.
9. The Applicant shall obtain approval from the Valley Branch Watershed District for the stormwater management plan through the Watershed District's permitting process to obtain Final Plat approval.
10. The Applicant shall submit a copy of the approved septic permit from Washington County. The applicant must address any Washington County comments provided with the permit.
11. Within six months of the date of this Resolution, the Applicant shall submit its proposed Final Plat to Washington County, and shall address all issues related to access permits and related issues.
12. The Applicant shall obtain an access permit from Washington County for Lot 2.
13. The Applicant shall obtain an access permit from Washington County for the common access for Lots 1 and 3.
14. The Applicant shall provide the City with a copy of all permits and approvals.
15. The Applicant shall include the most recent Federal Emergency Management Agency (FEMA) floodplain map revisions in the setback requirements for the proposed lots.
16. The Applicant shall enter into a Development Agreement with the City as approved by the City Attorney which shall more fully set forth the duties and responsibilities of the Applicant. The Development Agreement shall be recorded against all six parcels.
17. The Applicant shall be responsible for all costs incurred by the City and its consultants – City Attorney, City Planner, City Engineer – in reviewing the application, preparing the Development Agreement and finalizing the plat.

18. All fees and escrows as required by the City shall be paid prior to approval of the Final Plat.
19. Within six months of the date of this Resolution, the Applicant shall submit ten copies of the Final Plat to the City Clerk or approval of the Preliminary Plat shall be void unless an extension is requested in writing and approved by the City Council.

Adopted by the Grant City Council this 2<sup>nd</sup> day of June, 2009.

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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 June 2, 2009 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 2nd day of June, 2009.

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Kim Points  
Clerk  
City of Grant