

RESOLUTION NO: 22-28

TOWN OF BALDWIN
COUNTY OF SHERBURNE, MINNESOTA

ELK LAKE LANDING
FINAL PLAT APPROVAL AND
AUTHORIZATION TO EXECUTE AGREEMENTS

WHEREAS, Dan Schroeder (the “developer”) is proposing to subdivide property identified as 01-031-3302 described by Exhibit A; and

WHEREAS, the Baldwin Township Board of Supervisors approved a preliminary plat subject to conditions for the subdivision at their meeting on 1 August 2022; and

WHEREAS, the developer has submitted application for ^{Final} preliminary plat approval to be processed in accordance with Section XX-3-3.C of the Subdivision Ordinance; and

WHEREAS, Section XX-11-5 of the Subdivision Ordinance requires the developer to enter into a development contract to provide the Town construction and warranty securities for the public and private improvements and to provide the Town various remedies in the event that the developer breaches the terms and conditions of said agreement; and

WHEREAS, the Planning Report dated 26 August 2022 prepared by the Town Planner, The Planning Company, LLC, is incorporated herein by reference; and

WHEREAS, the Town Board considered the application at a special meeting on 6 September 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF BALDWIN TOWNSHIP, MINNESOTA THAT:

- A. The final plat of Elk Lake Landing is hereby approved, subject to the following stipulations:
 - 1. Impervious surface within Lots 1-5, Block 1 shall not exceed 25 percent of the lot area.
 - 2. Construction on all lots shall comply with the following setback requirements:

A. Front Yard or Side Yard Abutting a Public Road:		
	County State Aid Highway	70 feet
	Township Road:	50 feet
B. Side Yard (except as allowed by Section XX-51-5.A):		20 feet
C. Rear Yard:		25 feet

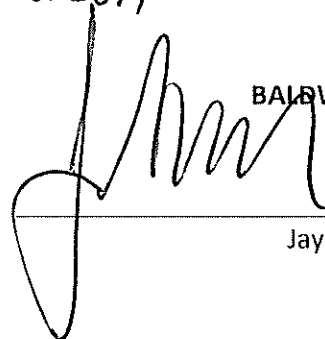
3. Right-of-way dedication for 143rd Street (CSAH 1) shall be subject to review and approval of the Sherburne County Engineer.
4. Right-of-way dedication for 277th Avenue shall be subject to review and approval of the Town Engineer.
5. The developer shall dedicate permanent right-of-way easements for existing cul-de-sac terminus of 278th Avenue, subject to review and approval of the Town Engineer.
6. Access:
 - a. Lot 2, Block 1:
 - (1) The proposed shared access to 143rd Street (CSAH 1) shall be subject to review and approval of the Sherburne County Engineer.
 - (2) An ingress/egress easement shall be established over Lot 1, Block 1 benefiting Lot 2, Block 1 for use of the proposed shared driveway, subject to review and approval of Town staff.
 - (3) An encroachment agreement shall be executed and recorded with Lot 2, Block 1 at the time of final plat approval addressing the proposed shared driveway crossing over a drainage and utility easement, subject to review and approval of Town staff.
 - b. Lots 3 and 4, Block 1 shall access 278th Avenue subject to compliance with the Town Right-of-Way Ordinance; no direct lot access to 143rd Street (CSAH 1) shall be allowed.
 - c. Lots 5 and 6, Block 1 shall access 277th Avenue subject to compliance with the Town Right-of-Way Ordinance; no direct access to 143rd Street (CSAH 1) from Lot 6, Block 1 shall be allowed.
7. Subsurface Sewage Treatment Systems and well utilities for Lots 2-6, Block 1 shall be subject to review and approval of the Building Official.
8. All grading, drainage, and erosion control plans shall be subject to review and approval of the Town Engineer.
9. A Sherburne County WCA Land Use Permit shall be required for Lot 4, Block 1 in accordance with Section XX-16-4 of the Zoning Ordinance prior to issuance of a building permit.
10. All easements shall be subject to review and approval of the Town Engineer.
11. Park dedication requirements shall be satisfied by payment of a cash fee in lieu of land of \$6,000 to the Town prior to recording of the final plat.

- 12. The final plat shall be subject to review and approval of the County Surveyor.
- 13. The final plat shall be recorded within 120 days of Town Board approval or such approval shall be void.

- B. The Grading Agreement drafted by the Town Attorney attached hereto between Baldwin Township and the developer is hereby approved in form subject to modification of fees, charges, and securities as approved by Town staff.
- C. The Stormwater Maintenance Agreement drafted by the Town Attorney attached hereto between Baldwin Township and developer is hereby approved in form subject to modification of fees, charges, and securities as approved by Town staff.
- D. The Town Board Chair and Town Clerk/Treasurer are hereby authorized to sign the final plat and execute the agreements on behalf of Baldwin Township.

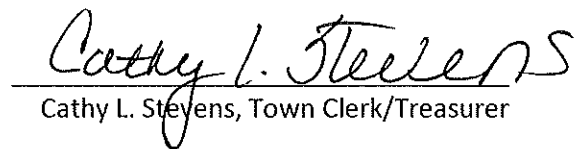
ADOPTED by the Town Board of Baldwin Township this 6th day of September, 2022.

MOTION BY: *Lawrence*
SECONDED BY: *Rush*
IN FAVOR: *Lawrence, Rush, Swanson, Hudson*
OPPOSED: *NONE*


BALDWIN TOWNSHIP

Jay Swanson, Chair

ATTEST:



Cathy L. Stevens, Town Clerk/Treasurer

**EXHIBIT A
LEGAL DESCRIPTION**

The Southwest Quarter of the Southwest Quarter of Section 31, Township 35, Range 26, except that part thereof which lies westerly of the centerline of County Road Number 1;

AND

That part of Government Lot 4, Section 31, Township 35, Range 26, lying westerly of the easterly line of the Southwest Quarter of the Southwest Quarter of Section 31, Township 35, Range 26, extended northerly, except that part lying westerly of the centerline of County Road Number 1, and except that part lying northerly of the following described line:

Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 31; thence North along the East line of said Southwest Quarter of the Southwest Quarter, and its Northerly extension a distance of 1481.31 feet to the point of beginning of the line to be hereby described; thence West deflecting 90 degrees left to intersect the centerline of County Road Number 1 and there terminating.

AND

Tracts O and P, of Sherburne County Right of Way Plat No. 14 according to the map or plat thereof on file and of Record in the office of the Sherburne County Recorder.