

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, JUNE 14, 2011 – 6:31 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Toni Honer. Roll call was taken and the following members were found to be present: Chair Toni Honer, Dale Borgmann, Jerry Tippelt, Jerry Bechtold & Susan Palmer. Arrived at 6:36 p.m. Liaison Jeff Howe

Staff members present were: Billing Clerk/Administrative Assistant Judy Neu.
Others present: Joe, Trisha & Jordan Massmann, Eldred & Lorraine Kraemer.

APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Borgmann, second by Member Palmer, to approve the agenda and the amendments. Motion carried unanimously.

APPROVAL OF MINUTES 05/10/11 – Motion by Member Tippelt, second by Member Borgmann, to approve the minutes of 05/10/11 as presented. Motion carried unanimously.

NEW BUSINESS

KRAEMER’S ADMINISTRATIVE PLAT: Judy Neu reported the Kraemer’s would like to split off Tract B of 11.06 acres (Homestead site) and sell it to Jordan Massmann. Tract A of 54.22 acres will be retained by Eldred & Lorraine Kraemer’s and a Declaration on Restriction for 28.94 acres will be put on Tract A.

CERTIFICATE OF COMPLIANCE

STATE OF MINNESOTA)
COUNTY OF STEARNS) ss
CITY OF ROCKVILLE)

RE: These descriptions are intended for the purpose of transfer of property from Eldred A. Kraemer & Lorraine M. Kraemer (husband and wife) to Jordan L. Massmann (single adult) in the City of Rockville.

The following described property is to be transferred from parcel #76.41618.0800 to a new parcel number to be owned by Jordan L. Massmann.

TRACT "B"

The South 409.00 feet of the SE 1/4 of the SE 1/4 of Section 11, Township 123, Range 29 Stearns County, Minnesota, lying Easterly of the following described line: Commencing at the Southeast corner of the SE 1/4 of said Section 11; thence on an assumed bearing of N 88°53'08" W along the South line of said SE 1/4, a distance of 1173.32 feet to the point of beginning of the line to be described; thence on a bearing of N 00°15'36" W, 650.47 feet; thence on bearing of N 89°06'28" W to its intersection with a line 33.00 feet West of and parallel with the West line of said SE 1/4 of the SE 1/4 and there terminating

Subject to easements of record.
Subject to the right of the public in County Road No. 47.
Containing 11.06 acres more or less.

The following described property is the remaining description of parcel #76.41618.0800 to be retained by Eldred A Kraemer and Lorraine M. Kraemer.

TRACT "A"

The E 1/2 of the SE 1/4 of Section 11, Township 123, Range 29, Stearns County, Minnesota.
LESS AND EXCEPT the West 33.00 feet of said E 1/2 of the SE 1/4.

ALSO LESS AND EXCEPT the plat of OAKLEFE HOLLOW, as of public record, Stearns County, Minnesota.

ALSO LESS AND EXCEPT the East 416.00 feet of the North 524.00 feet of the NE 1/4 of the SE 1/4 of said Section 11.

ALSO LESS AND EXCEPT that part of the SE 1/4 of the SE 1/4 of said Section 11, lying Westerly and

Southerly of the following described line: Commencing at the Southeast corner of the SE 1/4 of said Section 11; thence on an assumed bearing of N 88°53'08" W along the South line of said SE 1/4, a distance of 1173.32 feet to the point of beginning of the line to be described; thence on a bearing of N 00°15'36" W, 650.47 feet; thence on bearing of N 89°06'28" W to its intersection with a line 33.00 feet West of and parallel with the West line of said SE 1/4 of the SE 1/4 and there terminating.

ALSO LESS AND EXCEPT the South 409.00 feet of the SE 1/4 of the SE 1/4 of Section 11, Township 123, Range 29, Stearns County, Minnesota, lying Easterly of the following described line: Commencing at the Southeast corner of the SE 1/4 of said Section 11; thence on an assumed bearing of N 88°53'08" W along the South line of said SE 1/4, a distance of 1173.32 feet to the point of beginning of the line to be described; thence on a bearing of N 00°15'36" W, 650.47 feet; thence on bearing of N 89°06'28" W to its intersection with a line 33.00 feet West of and parallel with the West line of said SE 1/4 of the SE 1/4 and there terminating

Subject to easements of record.

Subject to the rights of the public in 245th Street and County Road No. 47
Containing 54.22 acres, more or less.

This request is being made to sell off the farm place and is not for building purposes.

The Rockville City Planning Commission has reviewed this split and found it to be in compliance with the standards set forth in the City of Rockville.

DECLARATION OF RESTRICTION

This Declaration of Restriction ("Declaration") is made this _____ day of _____, 2011, by the undersigned "Declarant".

WHEREAS, the Declarant are all the fee owners of the following described property:

See attached **Exhibit A**

WHEREAS, Section 11 of the City of Rockville Subdivision Code requires that a Declaration of Restriction be executed restricting the further subdivision of the property that has been subdivided and/or attached pursuant to that section and the Administrative Minor Subdivision procedures included therein, unless such subsequent subdivision is performed by platting.

WHEREAS, the Declarant has sought subdivision under Section 11 for agricultural, nonresidential purposes.

NOW, THEREFORE, the Declarant makes the following Declaration. The restrictions described below shall run with the land and shall be binding on all parties and all persons claiming under them.

1. The property described in **Exhibit A** shall not be further subdivided until and unless platted pursuant to the Subdivision Code of the City of Rockville, or its successor ordinances.
2. No residential dwelling or structure may be constructed, erected, placed or developed within the property being subdivided and/or attached, as described in **Exhibit A**
3. All future subdivisions or transfers must comply with the zoning and subdivision controls effective at that time.

FURTHERMORE, this Declaration is made for benefit of the City of Rockville or its successors ("City"), and may be removed by resolution of the City, recorded with the County Recorder, in the event:

- A. The property is rezoned to allow for additional residential development, or
- B. The City determines the purposes of this Declaration no longer apply.

IN WITNESS WHEREOF, the Declarants have executed this Declaration on the date and year above written.

Motion by Member Palmer, second by Member Bechtold, approved the Administrative Plat as present. Motion carried unanimously.

Discussion was held on:

- ◆ Monte Burger -25926 Lake Road
- ◆ Brian & Chris Drown – 25683 Lake Road
- ◆ Ruth Brown – 25284 Lake Road
- ◆ Joyce Hansen – 23764 Mill Street
- ◆ Roger Klein – 24763 Lake Road

It was determined to do a site visit on June 28th meet at City Hall @ 6:00 p.m. first.

ADJOURNMENT – Motion by Member Tippelt, second by Member Borgmann, to adjourn the meeting at 7:14 p.m. Motion carried unanimously.

JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST

TONI HONER
CHAIR