

CITY OF ROCKVILLE

Planning/Zoning Commission Meeting Tuesday, November 15, 2016 - 6:00 p.m. City Hall - 229 Broadway Street East

AGENDA

- 1. ROLL CALL**
- 2. APPROVAL of AGENDA/AMENDMENTS**
- 3. APPROVAL OF October 11, 2016 MEETING MINUTES**
- 4. LOT COMBINATION REQUEST – Import Motors**
- 5. ADMINISTRATIVE PLAT – Peter & Janet Schaefer/Shirley Tonnell**
- 6. RTCB – Adams memo and proposed Council Resolution**
- 7. OTHER BUSINESS**
 - a) Next Meeting December 13, 2016, 6:00 p.m.
w/public hearing sign variance application and amend 120sf to State 200sf
- 8. ADJOURNMENT**

*This agenda has been prepared to provide information regarding an upcoming meeting of the Rockville City Planning Commission. This document does not claim to be complete and is subject to change.

**MINUTES OF THE REGULAR PLANNING/ZONING COMMISSION MEETING HELD
Tuesday, October 11th 2016, 6:00 p.m. – Rockville City Hall**

ROLL CALL - The meeting was called to order by Chair Bill Becker. Roll call was taken and the following members were present: Dave Meyer, Toni Honer, and Dale Borgmann. The following were absent: Member Jerry Tippelt and Liaison Susan Palmer.

Staff present: Finance Director, Judy Neu.

Others present: Janice Meyer, John Kirby, Paul Wirth, Monte Burger, Tom Frenn & Joanne Bell.

APPROVAL OF AGENDA/AMENDMENTS –

Motion by Honer, second by Borgmann, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF AUGUST 16, 2016 MEETING MINUTES –

Motion by Honer, second by Meyer, to approve the August 16, 2016 meeting minutes as presented. Motion carried unanimously.

PUBLIC HEARING

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on Tuesday, October 11th, 2016 at approximately 6:00 p.m. at Rockville City Hall – 229 Broadway Street East to consider the request of Janice Meyer to rezone the property. The address of the property is: 25942 Lake Road, Rockville, MN with a Parcel No. 76.41600.0804.

The request is to rezone from B-2 to R-1, and to amend the Comprehensive Plan & Map.

STAFF REPORT

Re: Re-Zoning Request
76.41600.0804: Owner: Janice Meyer
Property Address: 25942 Lake Road, Rockville, MN

Re-Zoning Requested:

1. Request to re-zone 0.6 acre parcel more or less from B-2 to R-1.

Purpose of Request:

1. To facilitate the sale of the property

Relevant Information:

1. Property contains 0.6 acres more or less.
2. 15 notices of public hearing were sent out.
3. This property is currently zoned B-2
4. This property was split off from the business parcel (400 Club) in 2013
5. Adjacent property to the North East (The Water's Edge) is zoned B-2. Adjacent property to the South West is zoned R-1
6. This parcel is located in a Shoreland District

Recommendation:

1. Consider Approval.

Janice Meyer, 25942 Lake Road, purchased this property in August 2014 (residence only). She stated that at that time it was not brought to her attention that the property was zoned as B-2. The property has now been sold and she is requesting that the property be rezoned to residential.

Paul Wirth, 8317 County Road 6, inquired if the change in rezoning would affect his taxes. Member Honer explained that no, it would not.

Joanne Bell, whose mother lives at 25822 Lake Road, expressed concern that according to the map (on the public hearing notice) it looks as though the road belongs to the homeowner and would it limit their access in the future. Member Honer explained the map and road-right-of-way and no, the road will remain open.

Monte Burger, 25926 Lake Road, spoke briefly about the mowing of the lawn on the park side which the city does mow. He also spoke about the utilities along Lake Road and parking for the new homeowner.

Tom Frenn, 25898 Lake Road, questioned whether there is a separate sewer line from the house and the business. Janice Meyer, stated that yes, there is a separate sewer line to the business and to the residence.

Monte Burger questioned if they would convert the garage into a living space because of the rezoning request. Chair Becker stated no and explained this is zoned as a single family dwelling for this lot.

Motion by Honer, second by Borgmann, to close the public hearing at 6:13 p.m. Motion carried unanimously.

RESOLUTION NO. 2016-38

RESOLUTION APPROVING A REZONING FROM B-2 TO R-1

WHEREAS, a request has been received from Janice Meyer to rezone 0.6 acres of property from B-2 to R-1, and;

WHEREAS, a public hearing to consider the request was held before the Rockville Planning Commission on October 11, 2016, and;

WHEREAS, proper notification was given and published notice was published in the Cold Spring Record, and;

WHEREAS, all persons attending the hearing were given an opportunity to address the Planning Commission.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. *The request to rezone 0.6 acres of parcel #76.41600.0804 from B-2 to R-1 is hereby approved.*
2. *Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.*
3. *That granting of the rezoning will not be detrimental to the public health, safety, comfort and general welfare of the City.*

Motion by Honer, second by Borgmann to approve the rezoning from B-2 to R-1. Motion carried unanimously.

OTHER BUSINESS –

- a) 2016 Commissioner Seat Expire x 2
 - Dale Borgmann has submitted his resignation.
 - Toni Honer will submit hers in writing.

- b) Next Meeting Tuesday, November 15, 2016 6:00 p.m.
Due to Election Day, November 8th, the meeting has been rescheduled to the 15th.

ADJOURNMENT – *Motion by Meyer, second by Honer, to adjourn the meeting at 6:17 p.m. Motion carried unanimously.*

Judy Neu
Finance Director

IMPORT MOTORS STAFF REPORT

November 7, 2016

Rockville Planning Commission; City Council

Re: Combining Lots Request
Owners: C Chanthakhammy dba Import Motors
PIN: 76.42146.0806, Property Address: Prairie Drive
PIN: 76.42146.0807, Property Address: Prairie Drive

Combine Two (2) Adjacent Lot(s) Requested:

1. PIN: 76.41835.0004, Legal Description: Lot 006, Block 002 of Prairie Business Park
2. PIN: 76.41835.0003, Legal Description: Lot 007, Block 002 of Prairie Business Park

Relevant Information:

1. This property is located in a I-1
2. One of the Lots is a corner lot at the intersection of Prairie Drive and Prairie Court
3. No Public Hearing Required, no notices sent out

Recommendations:

Approve

Submitted by:
Martin M. Bode
Zoning Administrator

Import Motors Combining Lots, 2016

CITY OF ROCKVILLE, MINNESOTA
APPLICATION FOR COMBINING 2 LOTS
(Attachment to a contiguous lot)
FEE: \$100.00

PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER)

Date Application Submitted: 10-11-2016

Parcels that you want combined # 76.42146.0806 # 76.42146.0807

Location: Section 17 Township 123 Range 029

Legal Description Lot 006 and Lot 007, Block 002, of Prairie Business Park

Detailed Description of the request and why it is being made: _____
to meet zoning requirements.

Land is presently zoned I-1 Total Amount of land involved: Acres 2.02

Owners Name C Chanthakhammy Phone 763-258-7011
First Name Last Name dba Import Motors

Address 1380 Prairie Drive Email: _____
Rockville MN importparts31@live.com

The following must be submitted with the combine lots:

N/A Proof of ownership (copy of tax statements or deeds)

N/A Vicinity map (with surrounding property owners and roads identified) city staff will provide map.

____ Required fee as noted above

[Signature] Date 10-17-16
Signature of owner

Complete Application Date 10-17-16

R# _____ Combine Lots Fee Check # 1122 Date 10-17-16 101.46300.34103 \$100.00 Permit # 16-0202

CERTIFICATE OF COMPLIANCE

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

Owner: C Chanthakhammy dba Import Motors, 1380 Prairie Drive, Rockville, MN 56369

The request is to Combine two adjacent lots.

The Rockville City Planning Commission and City Council have reviewed this request and found it to be in compliance with the standards set forth in the City of Rockville. The Application for Combining Two Lots is approved and may be recorded.

- 1. Parcel I.D. No. 76.42146.0806, Section 17, Township 123, Range 029, Legal Description: Lot 006, Block 002 of Prairie Business Park
- AND
- 1. Parcel I.D. No. 76.42146.0807, Section 17, Township 123, Range 029, Legal Description: Lot 007, Block 002 of Prairie Business Park

Approved this 16th day of November, 2016.

Martin M. Bode
Administrator/Clerk

THIS INSTRUMENT DRAFTED BY:
CITY OF ROCKVILLE (MMB)
209 Broadway Street East
Rockville, MN 56369
(320) 251-5836



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Select Mail Recipient:

<input type="checkbox"/> Owner	<input type="checkbox"/> Resident	<input type="checkbox"/> Both
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Title

8.5 x 11 Portrait

- 8.5 x 11 Portrait
- 8.5 x 11 Landscape
- 11 x 17 Portrait
- 11 x 17 Landscape
- Image (jpeg)

Show Legend

- Show Legend
- Show Property Info
- Map Only

[Documents](#)

SCHAEFER/TONNELL STAFF REPORT
11/15/2016

RE: ADMINISTRATIVE PLAT

RE: (Schaefer) Parcel I.D. No. 76.41650.0700, Section 29, Township 123, Range 029
AND: (Tonnell) Parcel I.D. No. 76.41650.0800, Section 29, Township 123, Range 029

Owners: Peter and Janet Schaefer, 21725 County Road 8, Cold Spring, MN 56320
AND: Shirley Tonnell, 21734 County Road 8, Cold Spring, MN 56320

REQUEST

Peter and Janet Schaefer want to straighten out a property line issue with their neighbor Shirley Tonnell.

RELEVANT INFORMATION

1. Property is zoned R-1.
2. Property being transferred is less than 40 acres.
3. This split does not require a public hearing since they are re-aligning property lines and not creating more than two lots.

RECOMMENDATION

Approve

Submitted by:
Martin M. Bode
Zoning Administrator

CERTIFICATE OF COMPLIANCE

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

Owners: Peter and Janet Schaefer, 21725 County Road 8, Cold Spring, MN 56320
AND: Shirley Tonnell, 21734 County Road 8, Cold Spring, MN 56320

The request is to correct boundary lines between the two neighbors.

The Rockville City Planning Commission and City Council have reviewed this request and found it to be in compliance with the standards set forth in the City of Rockville. The Application for Administrative Plat is approved and the related deeds may be recorded.

(Schaefer) Parcel I.D. No. 76.41650.0700, Section 29, Township 123, Range 029
(Tonnell) Parcel I.D. No. 76.41650.0800, Section 29, Township 123, Range 029

Schaefer to Tonnell:

Tract A from Survey

That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1457031 (attached as **Exhibit A**), which lies Easterly of the Easterly Right of Way line of County Road No. 8 and Northerly of the following described line:

Commencing at the Northwest corner of said Government Lot 2; thence North 88 degrees 40 minutes 44 seconds East, assumed bearing, along the north line of said Government Lot 2, a distance of 2010.83 feet, to the Easterly Right of Way line of County Road No. 8; thence southwesterly, 166.93 feet, along said Easterly Right of Way line, and along a non-tangential curve, concave to the northwest, having a radius of 987.93 feet and a central angle of 09 degrees 40 minutes 53 seconds. The chord of said curve, bears South 18 degrees 26 minutes 55 seconds West, to the point of beginning of the line to be described; thence South 63 degrees 00 minutes 32 seconds East, 61 feet, more or less, to the shoreline of Grand Lake, and said line there terminating.

Tonnell to Schaefer:

Tract B from Survey

That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1127501 (attached as **Exhibit A**), which lies Easterly of the Easterly Right of Way line of County Road No. 8 and Southerly of the following described:

Commencing at the Northwest corner of said Government Lot 2; thence North 88 degrees 40 minutes 44 seconds East, assumed bearing, along the north line of said Government Lot 2, a distance of 2010.83 feet, to the Easterly Right of Way line of County Road No. 8; thence southwesterly, 166.93 feet, along said Easterly Right of Way line, and along a non-tangential curve, concave to the northwest, having a radius of 987.93 feet and a central angle of 09 degrees 40 minutes 53 seconds. The chord of said curve, bears South 18 degrees 26 minutes 55 seconds West, to the point of beginning of the line to be described; thence South 63 degrees 00 minutes 32 seconds East, 61 feet, more or less, to the shoreline of Grand Lake, and said line there terminating.

Approved this 16th day of November, 2016.

Martin M. Bode
Administrator/Clerk

THIS INSTRUMENT DRAFTED BY:

CITY OF ROCKVILLE (MMB)
209 Broadway Street East
Rockville, MN 56369
(320) 251-5836

LEGAL DESCRIPTION

Per Document Number 1127501

That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1457031, which lies Easterly of the Easterly Right-of-Way line of State Aid Road #8 and on a line lying 80 feet South of and parallel with the North line of said Government Lot 2, said point B being the point of beginning, thence East along said parallel line to the Westerly shoreline of Grand Lake; thence Southwesterly along said shoreline for a distance of 78 feet, more or less, to its intersection with a line being 147 feet South of and parallel with the North line of said Government Lot 2, thence deflected right and West along said parallel line to the Easterly right-of-way line of said State Aid Road; thence deflected right in a Northwesterly direction along said right-of-way line to the point of beginning and there terminating.

ALSO
That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1457031, which lies Easterly of the Easterly Right-of-Way line of State Aid Road #8 and a line lying 147 feet South of and parallel with the North line of said Government Lot 2, said point B being the point of beginning of the hereinafter described thence Southwesterly along said Easterly right-of-way line of State Aid Road #8 to a point of intersection of said Easterly right-of-way line and a line lying 172 feet South of and parallel with the North line of said Government Lot 2; thence Easterly of said Government Lot 2, thence Easterly to the intersection of the Westerly shoreline of Grand Lake and a line lying 185 feet South of and parallel with the North line of said Government Lot 2; thence Northwesterly along said shoreline for a distance of 38 feet, more or less, to its intersection with a line lying 147 feet South of and parallel with the North line of said Government Lot 2; thence Westerly along said line to the Easterly right-of-way line of State Aid Road #8 and there terminating.

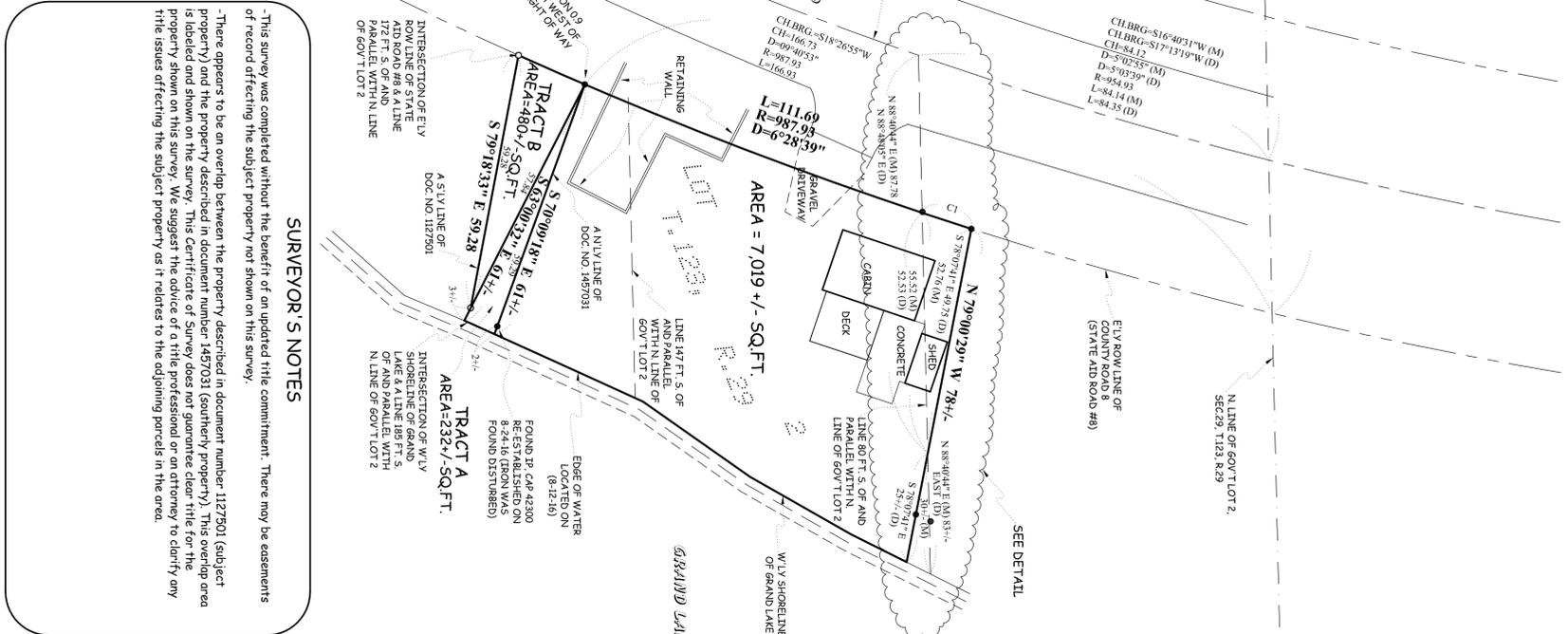
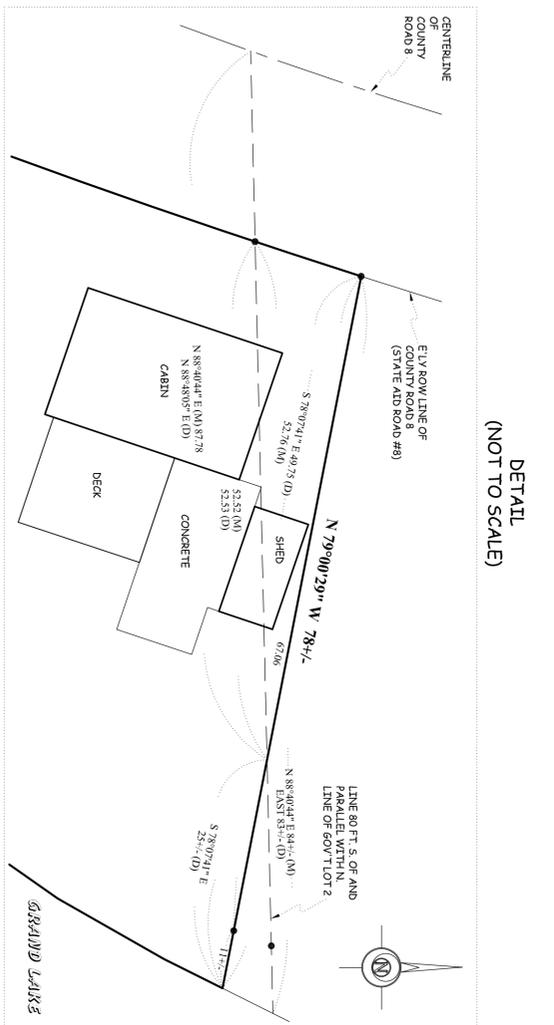
AND
That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1127501, which lies Easterly of the Easterly Right-of-Way line of County Road No. 8 and Northwesterly of the following described line:
Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1457031, which lies Easterly of the Easterly Right-of-Way line of County Road No. 8 and Northwesterly of the following described line:
Commencing at the Northwest corner of said Government Lot 2, thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southwesterly 84.35 feet on said center line and on a non-tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds; thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, to the intersection with a line 80.00 feet South of and parallel with the North line of said Government Lot 2; thence North 88 degrees 48 minutes 55 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88 degrees 48 minutes 55 seconds East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southwesterly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78 degrees 07 minutes 41 seconds East from the point of beginning; thence North 78 degrees 07 minutes 41 seconds West 25 feet, more or less, to the point of beginning. All according to the U.S. Government Survey thereof, Stearns County, Minnesota.

TRACT A:
That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1127501, which lies Easterly of the Easterly Right-of-Way line of County Road No. 8 and Northwesterly of the following described line:
Commencing at the Northwest corner of said Government Lot 2, thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southwesterly 84.35 feet on said center line and on a non-tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds; thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, to the intersection with a line 80.00 feet South of and parallel with the North line of said Government Lot 2; thence North 88 degrees 48 minutes 55 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88 degrees 48 minutes 55 seconds East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southwesterly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78 degrees 07 minutes 41 seconds East from the point of beginning; thence North 78 degrees 07 minutes 41 seconds West 25 feet, more or less, to the point of beginning. All according to the U.S. Government Survey thereof, Stearns County, Minnesota.

TRACT B:
That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1127501, which lies Easterly of the Easterly Right-of-Way line of County Road No. 8 and Northwesterly of the following described line:
Commencing at the Northwest corner of said Government Lot 2, thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southwesterly 84.35 feet on said center line and on a non-tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds; thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, to the intersection with a line 80.00 feet South of and parallel with the North line of said Government Lot 2; thence North 88 degrees 48 minutes 55 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88 degrees 48 minutes 55 seconds East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southwesterly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78 degrees 07 minutes 41 seconds East from the point of beginning; thence North 78 degrees 07 minutes 41 seconds West 25 feet, more or less, to the point of beginning. All according to the U.S. Government Survey thereof, Stearns County, Minnesota.

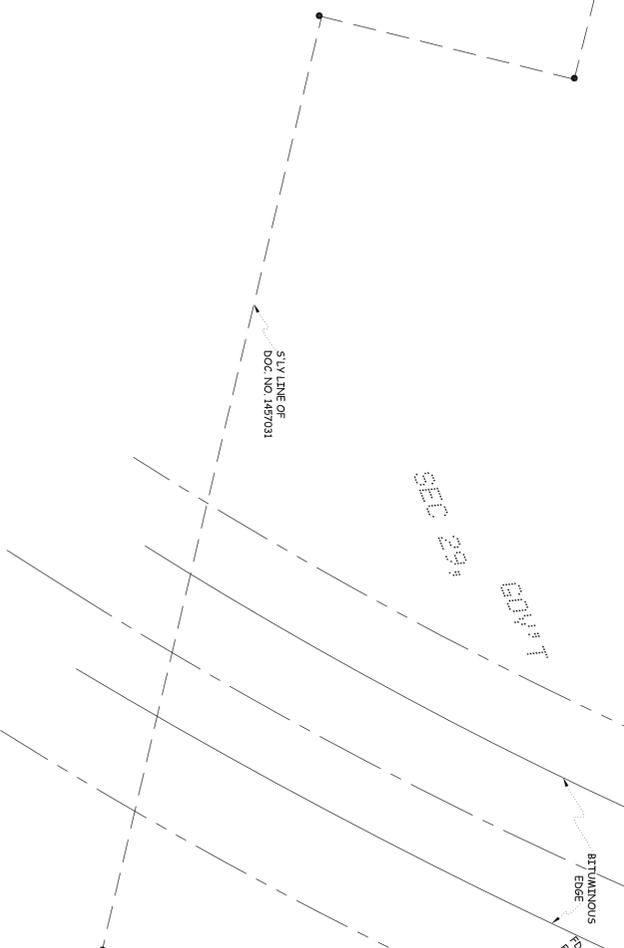
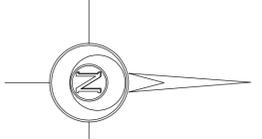
TRACT C:
That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1127501, which lies Easterly of the Easterly Right-of-Way line of County Road No. 8 and Northwesterly of the following described line:
Commencing at the Northwest corner of said Government Lot 2, thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southwesterly 84.35 feet on said center line and on a non-tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds; thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, to the intersection with a line 80.00 feet South of and parallel with the North line of said Government Lot 2; thence North 88 degrees 48 minutes 55 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88 degrees 48 minutes 55 seconds East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southwesterly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78 degrees 07 minutes 41 seconds East from the point of beginning; thence North 78 degrees 07 minutes 41 seconds West 25 feet, more or less, to the point of beginning. All according to the U.S. Government Survey thereof, Stearns County, Minnesota.

TRACT D:
That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, as described in Document No. 1127501, which lies Easterly of the Easterly Right-of-Way line of County Road No. 8 and Northwesterly of the following described line:
Commencing at the Northwest corner of said Government Lot 2, thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southwesterly 84.35 feet on said center line and on a non-tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds; thence North 88 degrees 48 minutes 55 seconds East, assumed bearing, to the intersection with a line 80.00 feet South of and parallel with the North line of said Government Lot 2; thence North 88 degrees 48 minutes 55 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88 degrees 48 minutes 55 seconds East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southwesterly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78 degrees 07 minutes 41 seconds East from the point of beginning; thence North 78 degrees 07 minutes 41 seconds West 25 feet, more or less, to the point of beginning. All according to the U.S. Government Survey thereof, Stearns County, Minnesota.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CI	987.93	11.93 (M)	11.93 (M)	N 18°07'28" E (M)	0°41'31" (M)
		11.96 (D)	11.96 (D)	N 18°40'28" E (D)	0°41'38" (D)

- INDICATES IRON MONUMENT PLACED
- INDICATES IRON MONUMENT FOUND
- INDICATES STEARN'S COUNTY CAST IRON MONUMENT
- (M) INDICATES MEASURED BEARING OR DISTANCE
- (D) INDICATES DEED BEARING OR DISTANCE



SURVEYOR'S NOTES

-This survey was completed without the benefit of an updated title commitment. There may be encumbrances of record affecting the subject property not shown on this survey.

-There appears to be an overlap between the property described in document number 1127501 (subject property) and the property described in document number 1457031 (subject property). This overlap area is labeled and shown on the survey. This Certificate of Survey does not guarantee clear title for the property shown on this survey. We suggest the advice of a title professional or an attorney to clarify any title issues affecting the subject property as it relates to the adjoining parcels in the area.

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105
COLD SPRING MN 56320
PH. 320-685-5905
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

1004 2nd ST. SE
WILLMAR MN 56201
PH. 320-235-4012
FAX 320-685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DANIEL M. KRON
MINNESOTA REGISTRATION NO. 42621
DATE: 08-12-16

SHEET 1 OF 1

JOB NO: 2016-353
FILE NAME: 2016-353.dwg
LOCATION: 29-123-29

CERTIFICATE OF SURVEY PREPARED FOR:
SHIRLEY TONNELL



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Title

8.5 x 11 Portrait

- 8.5 x 11 Portrait
- 8.5 x 11 Landscape
- 11 x 17 Portrait
- 11 x 17 Landscape
- Image (jpeg)

Show Legend

- Show Legend
- Show Property Info
- Map Only

[Documents](#)

**CITY OF ROCKVILLE, MINNESOTA
APPLICATION FOR ADMINISTRATIVE PLATTING**

PLATTING FEE: \$100.00

RECORDING FEE: \$46.00 (PER DOCUMENT)

Need separate checks: 1 for Platting fee & 1 for Recording Fee (s)

PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER)

Date Application Submitted: _____ Parcel # 76.41650.0800

Location: Section 29 Township 123 Range 29

Legal Description Attached

Detailed Description of the request and why it is being made: Boundary line correction with Peter and Janet Schaefer

Land is presently zoned Lakeshore/Residential Zone Requested _____ Total Amount of land involved: Acres .11

Owners Name Shirley A. Tonnell / Peter Schaefer et.al. Phone 320-248-7494

Address 21734 Co Rd 8, Cold Spring, MN 56320 Email: _____
First Name Middle Initial Last Name

Surveyors Name Dan Kron/O'Malley & Kron Phone 320-685-5905 Fax 320-685-3056

Address 370 Chapel Hill Road, Ste 105, Cold Spring, MN 56320

The following must be submitted with the Administrative plat:

Certificate of Survey (15) Fifteen copies 11x17

Proof of ownership (copy of tax statement or deed)

Vicinity map (with surrounding property owners and roads identified)

Required fee as noted above

Signature of person submitting administrative plat Date _____

Complete Application Date _____

R# _____ Administrative Plat Fee Check # _____ Date _____ 101.41000.34103 \$100.00 Permit # _____

Reimb. For invoice check # _____ Date _____ 101.41000-34102 \$46.00

Per Document Number 1127501 (Existing Tonnell Legal)

That part of Government Lot 2, Section 29, Township 123, Range 29, described as follows, to-wit: Commencing at the intersection of the Easterly right-of-way line of State Aid Road #8 and a line lying 80 feet South of and parallel with the North line of said Government Lot 2, said point being the point of beginning; thence East along said parallel line to the Westerly shoreline of Grand Lake; thence Southwesterly along said shoreline for a distance of 78 feet, more or less, to its intersection with a line being 147 feet South of and parallel with, the North line of said Government Lot; thence deflect right and West along said parallel line to the Easterly right-of-way line of said State Aid Road; thence deflect right in a Northeasterly direction along said right-of-way line to the point of beginning and there terminating.

ALSO

That part of Government Lot 2, Section 29, Township 123, Range 29, described as follows: Commencing at the intersection of the Easterly right-of-way of State Aid Road #8 and a line lying 147 feet South of and parallel with, the North line of said Government Lot 2, said point being the point of beginning of the tract herein described; thence Southerly along said Easterly right-of-way line of State Aid Road #8 to a point of intersection of said Easterly right-of-way line and a line lying 172 feet South of and parallel with the North line of said Government Lot 2; thence Easterly to the intersection of the Westerly shoreline of Grand Lake and a line lying 185 feet South of and parallel with the North line of said Government Lot 2; thence Northeasterly along said shoreline for a distance of 38 feet, more or less, to its intersection with a line lying 147 feet South of and parallel with the North line of said Government Lot 2; thence Westerly along said line to the Easterly right-of-way line of State Aid Road #8 and there terminating.

AND

That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the Northwest corner of said Government Lot 2; thence North 88 degrees 48 minutes 05 seconds East, assumed bearing, on the North line of said Government Lot 2, a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southerly 84.35 feet on said center line and on a non tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds, the chord of said curve bears South 17 degrees 13 minutes 19 seconds West, to the intersection with a line 80.00 feet South of, measured at a right angle to and parallel with the North line of said Government Lot 2; thence North 88 degrees 48 minutes 05 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence South 88 degrees 48 minutes 05 seconds West on said parallel line 52.53 feet to the Easterly right-of-way line of said State County Aid Road Number 8; thence Northerly 11.96 feet on said right-of-way line and on a non tangential curve concave to the West having a radius of 987.93 feet and a central angle of 00 degrees 41 minutes 38 seconds, the chord of said curve bears North 18 degrees 40 minutes 28 seconds East, to the intersection with a line which bears North 78 degrees 07 minutes 41 seconds West from the point of beginning; thence South 78 degrees 07 minutes 41 seconds East 49.75 feet to the point of beginning.

LESS AND EXCEPT

That part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the Northwest corner of said Government Lot 2; thence North 88 degrees 48 minutes 05 seconds East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southerly 84.35 feet on said center line and on a non tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05 degrees 03 minutes 39 seconds, the chord of said curve bears South 17 degrees 13 minutes 19 seconds West, to the intersection with a line 80.00 feet South of, measured at a right angle to and parallel with the North line of said Government Lot 2; thence North 88 degrees 48

minutes 05 seconds East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88 degrees 48 minutes 05 seconds East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southerly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78 degrees 07 minutes 41 seconds East from the point of beginning; thence North 78 degrees 07 minutes 41 seconds West 25 feet, more or less, to the point of beginning. All according to the U.S. Government Survey thereof, Stearns County, Minnesota.



Randy R. Schreifels

Stearns County Auditor-Treasurer
Administration Center Rm. 136 PO Box 728
St. Cloud, MN 56302-0728
Phone #: 320-656-3870
Website: www.co.stearns.mn.us

Property Tax Statement 2016

VALUES AND CLASSIFICATION		Sent in March 2015	
Step	Taxes Payable Year	2015	2016
1	Estimated Market Value:	\$348,700.00	\$349,400.00
	Homestead Exclusion:	\$14,400.00	\$14,400.00
	Taxable Market Value:	\$334,300.00	\$335,000.00
	New Improvements/Expired Exclusions		
	Property Classification:	Res Hstd MNGD Forest Land	Res Hstd MNGD Forest Land
PROPOSED TAX Sent in November 2015			
2	Proposed Tax:		\$4,296.00
PROPERTY TAX STATEMENT			
3	First-half Taxes Due 5/16/2016:		\$2,159.00
	Second-half Taxes Due 10/17/2016:		\$2,159.00
	Total Taxes Due in 2016:		\$4,318.00

Pin Number: 76.41650.0700

Parties of Interest: EISENSCHENK DEBORAH
KREMERS CINDY
MARTINSON SUSAN

PETER M & JANET SCHAEFER
21725 COUNTY ROAD 8
COLD SPRING MN 56320-9755

REFUNDS? \$\$\$ You may be eligible for one or even two refunds to reduce your property tax.

2016 Property Tax Statement

Pin Number: 76.41650.0700

Property Address: 21725 COUNTY ROAD 8
COLD SPRING MN 56320

Property Description: 38.01A P/O GOVT 2 & S2NW4 COM NW COR GOVT
2-N88D E ALG N LN 1624'-S8D E 136.40'- S75D E
102.23'-S14D W 56.83' TO POB-N14D E 56.83'-N75D
W 102.23'-N8D E 69.79'-S88D W 1633.92'-S88D W
1270.52'-S82D W 301.52'-S8D W 1260.38' TO S LN
S2NW4-S88D W 924.29' TO SW Section 29 Township
123 Range 029

Special Assessment Breakdown
2016 SOLID WASTE FEE \$10.00

Special Assessment Total \$10.00

Taxes Payable Year:		2015	2016
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.			\$3,501.09
2. Use these amounts on Form M1PR to see if you are eligible for a special refund. <input type="checkbox"/>		\$3,576.31	
3. Your Property taxes before credits		\$4,402.00	\$4,308.00
4. Credits that reduce your property taxes			
A. Agricultural market value credits		\$0.00	\$0.00
B. Other credits		\$0.00	\$0.00
5. Property taxes after credits		\$4,402.00	\$4,308.00
6. County STEARNS COUNTY		\$1,605.68	\$1,558.58
7. City or Town ROCKVILLE CITY		\$1,416.96	\$1,415.86
8. State General Tax		\$0.00	\$0.00
9. School District ISD 0750 ROCOR!			
A. Voter Approved Levies		\$499.59	\$457.92
B. Other Local Levies		\$836.29	\$834.92
10. Special Taxing Districts			
HRA		\$12.84	\$11.98
Watershed		\$25.33	\$23.72
Regional Rail Authority		\$5.31	\$5.02
11. Non-school voter approved referenda levies		\$0.00	\$0.00
12. Total property tax before special assessments		\$4,402.00	\$4,308.00
13. Special Assessments on Your Property			
See Left for Breakdown of Special Assessments			
Special Assessment Totals		Principal: \$10.00	\$10.00
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS		\$4,412.00	\$4,318.00



Detach this stub and return with your second half payment
2nd Half Payment Stub - Payable 2016
To avoid penalty, pay on or before October 17, 2016

PIN: 76.41650.0700 Paid By _____
BILL NUMBER: 1935437
TAXPAYER(S): PETER M & JANET SCHAEFER
21725 COUNTY ROAD 8
COLD SPRING MN 56320-9755

Total Property Tax for 2016	\$4,318.00
2nd Half Tax Amount	\$2,159.00
Penalty	_____
2nd Half Total Amount Due	_____

MAKE CHECKS PAYABLE TO:
Randy R. Schreifels
Stearns County Auditor- Treasurer
PO BOX 728
St Cloud, MN 56302-0728

Your canceled check is your receipt



Detach this stub and return with your first half payment
1st Half Payment Stub - Payable 2016
To avoid penalty, pay on or before May 16, 2016
If your tax is \$100.00 or less, pay the entire tax by May 16, 2016

PIN: 76.41650.0700 Paid By _____
BILL NUMBER: 1935437
TAXPAYER(S): PETER M & JANET SCHAEFER
21725 COUNTY ROAD 8
COLD SPRING MN 56320-9755

Total Property Tax for 2016	\$4,318.00
1st Half Tax Amount	\$2,159.00
Penalty	_____
1st Half Total Amount Due	_____

MAKE CHECKS PAYABLE TO:
Randy R. Schreifels
Stearns County Auditor-Treasurer
PO BOX 728
St Cloud, MN 56302-0728

Your canceled check is your receipt

2/46 . 1.105 CV3 11/23



OFFICE OF COUNTY RECORDER
STEARNS COUNTY, MINNESOTA

NO DELINQUENT TAXES AND
TRANSFER ENTERED

Document: A1457031

DATE 11/23/2015

Certified, Filed, and/or Recorded on

AUDITOR Randy R Schriefel

November 23, 2015 11:44 AM

DEPUTY Brenda Stanger
76.41650.0700

DIANE GRUNDHOEFER
STEARNS COUNTY RECORDER



TRUSTEE'S DEED
Individual Trustee

STATE DEED TAX DUE HEREON \$1.65

Date: November 19, 2015

FOR VALUABLE CONSIDERATION, CLARENCE J. BLOCH, AS TRUSTEE OF THE CLARENCE J. BLOCH AND MARY ANN BLOCH REVOCABLE TRUST AGREEMENT DATED JUNE 28, 2002, Grantor, hereby conveys and quit claims to PETER SCHAEFER AND JANET SCHAEFER, Grantees, as joint tenants, real property in Stearns County, Minnesota, described as follows:

That part of Government Lot Two (2) AND the South Half of the Northwest [✓] Quarter (S ½ NW ¼) of Section Twenty-nine (29), Township One Hundred Twenty-three (123), Range Twenty-nine (29), Stearns County, Minnesota, described as follows: Commencing at the Northwest corner of said Government Lot Two (2); thence on an assumed bearing of North 88 degrees 48 minutes 05 seconds East along the North line of said Government Lot Two (2) a distance of 1,624.00 feet; thence on a bearing of South 08 degrees 54 minutes 47 seconds East 136.40 feet; thence on a bearing of South 75 degrees 52 minutes 16 seconds East, 102.23 feet; thence on a bearing of South 14 degrees 07 minutes 44 seconds West, 56.83 feet to the point of beginning of the tract herein described; thence on a bearing of North 14 degrees 07 minutes 44 seconds East, 56.83 feet; thence on a bearing of North 75 degrees 52 minutes 16 seconds West, 102.23 feet; thence on a bearing of North 08 degrees 54 minutes 47 seconds West, 69.79 feet; thence on a bearing of South 88 degrees 48 minutes 05 seconds West, 1,633.92 feet; thence on a bearing of South 88 degrees 45 minutes 53 seconds West, 1,270.52 feet; thence on a bearing of South 82 degrees 15 minutes 34 seconds West, 301.52 feet; thence on a bearing of South 08 degrees 03 minutes 50 seconds West, 1,260.38 feet to the South line of said South Half of the Northwest Quarter (S ½ NW ¼); thence

Tax statements for the real
property described in this
instrument should be sent to:

Peter and Janet Schaefer
21725 County Road 8
Cold Spring, MN 56320

“THE TOTAL CONSIDERATION FOR
THIS TRANSFER OF PROPERTY IS
\$500 OR LESS.”

THIS INSTRUMENT WAS DRAFTED BY:

GRAY, PLANT, MOOTY,
MOOTY & BENNETT P.A.
Paul W. Steil
1010 West St. Germain
Suite 500
St. Cloud, Minnesota 56301
(320) 252-4414

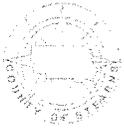
GP:4130842 v1

PAYMENT DATE
 11/23/2015
 COLLECTION STATION
 030 TREAS SARA # 4
 RECEIVED FROM
 GRAY, PLANT, MOOTY
 DESCRIPTION

RANDY R. SCHREIFELS
 STEARNS COUNTY AUDITOR-TREASURER
 705 COURTHOUSE SQ RM-136/PO BOX 728
 ST CLOUD MN 56302-0728
 (320) 656-3870

BATCH NO.
 2015-11002666
 RECEIPT NO.
 2015-00024237

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT																											
DEED	DEED TAX % DEED SCHAEFER 01 2145 DUE TO STATE DEED TAX \$1.65	\$1.65																											
Payments:	<table border="1"> <thead> <tr> <th>Type</th> <th>Detail</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Check</td> <td>63055</td> <td>\$1.65</td> </tr> <tr> <td colspan="2">Total Cash</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">Total Check</td> <td>\$1.65</td> </tr> <tr> <td colspan="2">Total Charge</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">Total Other</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">Total Remitted</td> <td>\$1.65</td> </tr> <tr> <td colspan="2">Change</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">Total Received</td> <td>\$1.65</td> </tr> </tbody> </table>	Type	Detail	Amount	Check	63055	\$1.65	Total Cash		\$0.00	Total Check		\$1.65	Total Charge		\$0.00	Total Other		\$0.00	Total Remitted		\$1.65	Change		\$0.00	Total Received		\$1.65	
Type	Detail	Amount																											
Check	63055	\$1.65																											
Total Cash		\$0.00																											
Total Check		\$1.65																											
Total Charge		\$0.00																											
Total Other		\$0.00																											
Total Remitted		\$1.65																											
Change		\$0.00																											
Total Received		\$1.65																											
Total Amount:		\$1.65																											



Randy R. Schreifels

Stearns County Auditor-Treasurer
Administration Center Rm. 136 PO Box 728
St. Cloud, MN 56302-0728
Phone #: 320-656-3870
Website: www.co.stearns.mn.us

Property Tax Statement 2016

Pin Number: 76.41650.0800

Parties of Interest: TONNELL SHIRLEY A

SHIRLEY A TONNELL
22700 FABLE RD
ST CLOUD MN 56301-8788

VALUES AND CLASSIFICATION <i>Sent in March 2015</i>			
Step	Taxes Payable Year	2015	2016
1	Estimated Market Value:	\$126,500.00	\$126,700.00
	Homestead Exclusion:	\$0.00	\$0.00
	Taxable Market Value:	\$126,500.00	\$126,700.00
	New Improvements/Expired Exclusions		
	Property Classification:	Seasonal	Seasonal

PROPOSED TAX <i>Sent in November 2015</i>		
Step 2	Proposed Tax:	\$1,824.00

PROPERTY TAX STATEMENT		
Step 3	First-half Taxes Due 5/16/2016:	\$917.00
	Second-half Taxes Due 10/17/2016:	\$917.00
	Total Taxes Due in 2016:	\$1,834.00

REFUNDS? \$\$\$

You may be eligible for one or even two refunds to reduce your property tax.

2016 Property Tax Statement

Pin Number: 76.41650.0800

Property Address:
21734 COUNTY ROAD 8
COLD SPRING MN 56320

Property Description:
.11A PART OF LOT 2, BEG ON E R/W LINE OF COUNTY RD #8 AT A PT 80' S OF N LINE - SW'LY ON E R/W LINE TO A PT ON LAKE 185' S OF N LN - N'LY ON LAKE TO A PT 80' S OF N LN - W'LY TO PT OF POB & PT OF LOT 2 COMM AT A PT ON E R/W LN OF CO RD #8 AT PT 80' S OF Section 29 Township 123 Range 029

Special Assessment Breakdown

2016 SOLID WASTE FEE	\$10.00
----------------------	---------

Special Assessment Total \$10.00

Taxes Payable Year:		2015	2016
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.			\$0.00
2. Use these amounts on Form M1PR to see if you are eligible for a special refund. <input type="checkbox"/>		\$0.00	
Tax and Credits	3. Your Property taxes before credits	\$1,864.00	\$1,824.00
	4. Credits that reduce your property taxes		
	A. Agricultural market value credits	\$0.00	\$0.00
	B. Other credits	\$0.00	\$0.00
	5. Property taxes after credits	\$1,864.00	\$1,824.00
Property Tax by Jurisdiction	6. County STEARNS COUNTY	\$675.80	\$655.26
	7. City or Town ROCKVILLE CITY	\$595.50	\$594.60
	8. State General Tax	\$175.58	\$171.66
	9. School District ISD 0750 ROCORI		
	A. Voter Approved Levies	\$209.31	\$192.05
	B. Other Local Levies	\$189.53	\$193.33
	10. Special Taxing Districts		
	HRA	\$5.40	\$5.03
	Watershed	\$10.65	\$9.96
	Regional Rail Authority	\$2.23	\$2.11
	11. Non-school voter approved referenda levies	\$0.00	\$0.00
	12. Total property tax before special assessments	\$1,864.00	\$1,824.00
13. Special Assessments on Your Property			
See Left for Breakdown of Special Assessments			
Special Assessment Totals		Principal: \$10.00	\$10.00
		\$10.00	\$10.00
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS		\$1,874.00	\$1,834.00

2

Detach this stub and return with your second half payment
2nd Half Payment Stub - Payable 2016
To avoid penalty, pay on or before October 17, 2016

PIN: 76.41650.0800 Paid By _____
BILL NUMBER: 1935033
TAXPAYER(S): SHIRLEY A TONNELL
22700 FABLE RD
ST CLOUD MN 56301-8788

Total Property Tax for 2016 \$1,834.00
2nd Half Tax Amount \$917.00
Penalty _____
2nd Half Total Amount Due _____

MAKE CHECKS PAYABLE TO:
Randy R. Schreifels
Stearns County Auditor- Treasurer
PO BOX 728
St Cloud, MN 56302-0728

Your canceled check is your receipt

1

Detach this stub and return with your first half payment
1st Half Payment Stub - Payable 2016
To avoid penalty, pay on or before May 16, 2016
If your tax is \$100.00 or less, pay the entire tax by May 16, 2016

PIN: 76.41650.0800 Paid By _____
BILL NUMBER: 1935033
TAXPAYER(S): SHIRLEY A TONNELL
22700 FABLE RD
ST CLOUD MN 56301-8788

Total Property Tax for 2016 \$1,834.00
1st Half Tax Amount \$917.00
Penalty _____
1st Half Total Amount Due _____

MAKE CHECKS PAYABLE TO:
Randy R. Schreifels
Stearns County Auditor-Treasurer
PO BOX 728
St Cloud, MN 56302-0728

Your canceled check is your receipt

1900
3000
W22
(8)

1127501

04 SEP 22 PM 3:09

Transfer entered

Date

9/22/04

Randy R. Schriener
County Auditor

By Brenda Stanger Deputy

COUNTY RECORDER
STEARNS COUNTY, MN
DIANE GRUNDHOEFER

BY AW DEPUTY

76.41650.800

Warranty Deed
(Individual to Individual)

9/22/2004 14:18:55
040029584 DEED TX *

P A I D

85.80

STATE DEED TAX DUE HEREON: \$ 85.80

Date: September 17, 2004

OFFICE OF COUNTY RECORDER
STEARNS COUNTY, MN
WELL CERTIFICATE RECEIVED

FOR VALUABLE CONSIDERATION: Alice A. Neu, a widow and not remarried, Grantor, hereby conveys and warrants to Shirley A. Tonnell, real property in Stearns County, Minnesota, described as follows:

That part of Government Lot Two (2), Section Twenty-nine (29), Township One Hundred Twenty-three (123) North, Range Twenty-nine (29) West, described as follows, to-wit: Commencing at the intersection of the Easterly right-of-way line of State Aid Road #8 and a line lying 80 feet South of and parallel with the North line of said Government Lot 2, said point being the point of beginning; thence East along said parallel line to the Westerly shoreline of Grand Lake; thence Southwesterly along said shoreline for a distance of 78 feet, more or less, to its intersection with a line being 147 feet South of and parallel with, the North line of said Government Lot; thence deflect right and West along said parallel line to the Easterly right-of-way line of said State Aid Road; thence deflect right in a Northeasterly direction along said right-of-way line to the point of beginning and there terminating.

ALSO: That part of Government Lot 2, Section 29, Township 123, Range 29, described as follows: Commencing at the intersection of the Easterly right-of-way of State Aid Road #8 and a line lying 147 feet South of and parallel with, the North line of said Government Lot 2, said point being the point of beginning of the tract herein described; thence Southerly along said Easterly right-of-way line of State Aid Road #8 to a point of intersection of said Easterly right-of-way line and a line lying 172 feet South of and parallel with, the North line of said Government Lot 2; thence Easterly to the intersection of the Westerly shoreline of Grand Lake and a line lying 185 feet South of and parallel with, the North line of said Government Lot 2; thence Northeasterly along said shoreline for a distance of 38 feet, more or less, to its intersection with a line lying 147 feet South of and parallel with the North line of said Government Lot 2; thence Westerly along said line to the Easterly right-of-way line of State Aid Road #8 and there terminating.

AND that part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the Northwest corner of said Government Lot 2; thence North 88°48'05" East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line of State County Aid Road Number 8; thence Southerly 84.35 feet on said center line and on a non tangential curve concave to the West having a radius of 954.93 feet and

a central angle of 05°03'39", the chord of said curve bears South 17° 13' 19" West, to the intersection with a line 80.00 feet South of, measured at a right angle to and parallel with the North line of said Government Lot 2; thence North 88°48'05" East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence South 88°48'05" West on said parallel line 52.53 feet to the Easterly right-of-way line of said State County Aid Road Number 8; thence Northerly 11.96 feet on said right-of-way line and on a non tangential curve concave to the West having a radius of 987.93 feet and a central angle of 00°41'38", the chord of said curve bears North 18°40'28" East, to the intersection with a line which bears North 78°07'41" West from the point of beginning; thence South 78°07'41" East 49.75 feet to the point of beginning.

LESS AND EXCEPT that part of Government Lot 2, Section 29, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the Northwest corner of said Government Lot 2; thence North 88°48'05" East, assumed bearing, on the North line of said Government Lot 2 a distance of 1977.29 feet to the center line; of State County Aid Road Number 8; thence Southerly 84.35 feet on said center line and on a non tangential curve concave to the West having a radius of 954.93 feet and a central angle of 05°03'39", the chord of said curve bears South 17° 13' 19" West, to the intersection with a line 80.00 feet South of, measured at a right angle to and parallel with the North line of said Government Lot 2; thence North 88°48'05" East on said parallel line 87.78 feet to the point of beginning of the land to be described; thence continue North 88°48'05" East on said parallel line 30 feet, more or less, to the shore line of Grand Lake; thence Southerly 8 feet, more or less, on said shore line to the intersection with a line which bears South 78°07'41" East from the point of beginning; thence North 78°07'41" West 25 feet, more or less, to the point of beginning.

All according to the U.S. Government Survey thereof, Stearns County, Minnesota.

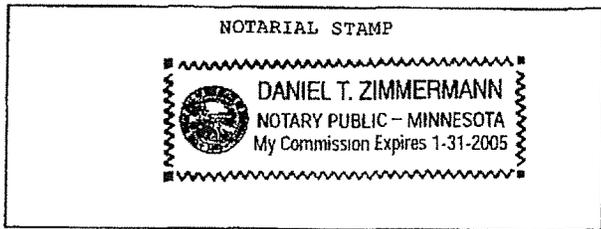
Together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: Easements, restrictions, and reservations of record, if any. This deed is given in fulfillment of a Contract for Deed recorded as Document No. 0679741.

x *Alice A. Neu*
 Alice A. Neu

STATE OF MINNESOTA)
) ss.
 COUNTY OF STEARNS)

The foregoing instrument was acknowledged before me this 17th day of September, 2004, by Alice A. Neu, a widow and not remarried, Grantor.

Daniel T. Zimmermann
 SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT



THIS INSTRUMENT DRAFTED BY:
 WILLENBRING, DAHL,
 ✓ WOCKEN & ZIMMERMANN, PLLC
 Daniel T. Zimmermann (141835)
 Red River at Main, PO Box 417
 Cold Spring, MN 56320-0417
 Telephone (320) 685-3678
 File No. 4514-005

Tax statements to be sent to:
 Shirley A. Tonnell
 22700 Fable Road
 St. Cloud, MN 56301

From: Adam Ripple <ARipple@rinkenoonan.com>
Sent: Thursday, November 10, 2016 9:05 AM
To: mbode@rockvillecity.org
Cc: Mary Jo Rowan
Subject: 21977-0007 ROCORI Trail Construction Board: Phase II: subdivision resolution
Attachments: RESOLUTION Rockville approval of subdivision(1).docx

Marty,

Attached is a resolution that we need the Rockville Council to approve before we close on the RTCB property next Thursday. I will need to coordinate getting the signed original before the closing.

The resolution is basically the Council giving its blessing to the subdivision of the rail corridor without further requirements (no platting etc). I believe the subdivision of the rail corridor could be approved administratively under Section 11 Subd. 2 of the Rockville subdivision ordinance. Council approval is a little overkill, but we need to have a very clear record. Please let me know if you have any questions. THANKS

Adam A. Ripple
Attorney

RINKE NOONAN
Suite 300, US Bank Plaza
P.O. Box 1497
St. Cloud, MN 56302
(320) 251-6700 General
(320) 257-3868 Direct
(320) 656-3500 Fax

[website](#) | [email](#) | [bio](#) | [map](#)



For prompt assistance, please contact my paralegal,
Mary Jo Rowan at (320) 656-3553 or mjrowan@rinkenoonan.com

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IRS Circular 230 Disclosure

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any matters addressed herein.

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For more information please visit <http://www.mimecast.com>

RESOLUTION NO. _____

**RESOLUTION APPROVING SUBDIVISION FOR
PHASE II OF THE ROCORI TRAIL PROJECT**

WHEREAS, the ROCORI Trail Construction Board (the “RTCB”) is a joint powers entity consisting of the Cities of Rockville, Cold Spring, and Richmond, whose sole purpose is the construction of a trail between the three cities;

WHEREAS, the RTCB has entered into a purchase agreement with BNSF Railway Company (“BNSF”) for the purchase of a portion of the abandoned rail corridor from approximately ½ mile west of Sauk River Road/Highway 23 intersection in Cold Spring to the east side of Mill Creek in Rockville (“RTCB Property”);

WHEREAS, the RTCB Property will be the second phase of the trail project;

WHEREAS, BNSF owns additional property (“BNSF Property”) that continues east of the RTCB Property;

WHEREAS, the RTCB Property and the BNSF Property (collectively the “Railroad Corridor”) are presently a singular tax parcel;

WHEREAS, BNSF is a large corporation with its headquarters in Ft. Worth, Texas, and has directed the RTCB to secure all necessary local approvals for the sale of the RTCB Property;

WHEREAS, the City of Rockville subdivision ordinance does not contemplate the subdivision of property such as the unique, long, multi-jurisdictional nature of the Railroad Corridor;

WHEREAS, the portion of the Railroad Corridor lying within the City of Cold Spring will not be subdivided;

WHEREAS, the portion of the Railroad Corridor lying outside the city limits of the Cities of Cold Spring and Rockville will not be subdivided;

WHEREAS, time is of the essence for the RTCB due to deadlines imposed by funding sources, and a pending sale for November 17, 2016;

WHEREAS, the RTCB has requested the City of Rockville to formally approve the subdivision of the Railroad Corridor to remove any doubt about the authority for the subdivision of the Railroad Corridor; and

WHEREAS, the City Council has considered the RTCB’s request and hereby makes the following:

FINDINGS OF FACT

1. The applicant, the RTCB, is a special government entity, of which the City is a member.
2. The RTCB is in the process of constructing a public multi-use trail, which is a special circumstance not contemplated in the City's subdivision regulations.
3. The Rail Corridor, RTCB Property, and BNSF Property are unique properties not contemplated in the City's subdivision regulations.
4. Although BNSF owns the Railroad Corridor, the dynamics of the transaction between the RTCB and BNSF are such that the City will grant approval of the subdivision without a request directly from BNSF. The approval of the subdivision is conditioned on the consummation of the sale of the RTCB Property from BNSF to the RTCB.
5. The subdivision is necessary for the preservation and enjoyment of a substantial property right being purchased by the RTCB from BNSF.
6. The RTCB Property is best developed and used as a trail.
7. A significant portion of the Railroad Corridor is currently abandoned. The subdivision of the Railroad Corridor, as requested, will allow the RTCB Property to be put to its highest and best use.
8. The RTCB's purchase from BNSF is time sensitive and any requirement to plat the RTCB Property would make it impossible to meet the funding deadlines faced by the RTCB, which would result in the failure of the trail project to the detriment of the City, its residents, and the Cities of Cold Spring and Richmond and their residents.
9. The subdivision of the RTCB Property will not create a burden on the City; will not impede the normal and orderly development and improvement of surrounding properties; is reasonably related to the overall needs of the City; and will not be detrimental to the public health, safety, comfort and general welfare of the City.
10. The trail planned by the RTCB is a project of significant regional importance that has been planned for many years and is in compliance with the Comprehensive Plan adopted by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE ROCKVILLE CITY COUNCIL THAT:

1. The above Findings of Fact are adopted.
2. The subdivision of the Rail Corridor by the RTCB is hereby approved.

3. City staff is directed to prepare all necessary documentation to facilitate the subdivision of the Railroad Corridor and corresponding acquisition by the RTCB.

Adopted _____, 2016.

Mayor

ATTEST:

City Administrator

STATE OF MINNESOTA)
) SS
COUNTY OF STEARNS)

On this ____ day of _____, 2016, before me, a Notary Public for this County, personally appeared Jeff Hagen, to me personally known, who, being by me duly sworn did say that he is the Mayor of the City of Rockville, a Minnesota municipal corporation, named in the foregoing instrument, and that said instrument was signed on behalf of said corporation by authority of its City Council and acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

STATE OF MINNESOTA)
) SS
COUNTY OF STEARNS)

On this ____ day of _____, 2016, before me, a Notary Public for this County, personally appeared Martin Bode, to me personally known, who, being by me duly sworn did say that he is the City Administrator of the City of Rockville, a Minnesota municipal corporation, named in the foregoing instrument, and that said instrument was signed on behalf of said corporation by authority of its City Council and acknowledged said instrument to be the free act and deed of said corporation.

Notary Public