

CITY OF ORONOCO, MN  
CITY COUNCIL RESOLUTION 2020-13

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ORONOCO, MINNESOTA  
APPROVING A LOT SPLIT OF AN UNPLATTED LOT OWNED BY PINE ISLAND  
SOUND INVESTMENTS, LLC

WHEREAS, Pine Island Sound Investments, LLC is the fee owner of the property legally described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, The parcels described in Exhibit A included reference to "Parcel A," which is a 1.5 acre parcel that the fee owner intends to develop into residential property, and a 75.01 acre parcel, referenced in Exhibit A as "Residue," which will remain undeveloped if the owner's lot split application is approved; and

WHEREAS, The application submitted by property owners contains the information required by Oronoco City Code Section 151.002 (Lot Split Code), and was accompanied by a survey prepared by a licensed land surveyor dated September 10, 2020, which is attached hereto and incorporated herein by reference as Exhibit B; and

WHEREAS, The applicant is seeking to split a single lot into two separate lots so that the applicant can construct a residential home on the parcel referenced in Exhibit A as "Parcel A" (hereinafter referred to as "Parcel A"); and

WHEREAS, City Staff has reviewed the submitted application and has determined that the proposed lot split fails to meet the requirements of the Land Management Code of the City of Oronoco as follows:

1. Pursuant to Oronoco City Code Section 151.282, the fee title owner must provide a ten foot wide permanent utility and drainage easement in favor of the City of Oronoco, no less than 10-feet wide on the west and south lot lines and no less than 5-feet wide along the north and south lot lines of Parcel A.
2. Sufficient access from Parcel A to Riverwood Drive SW has not been established. The fee title owner must provide a permanent roadway easement in favor of the City of Oronoco, directly to the west of Parcel A to the south lot line of Parcel A.
3. Access to Riverwood Drive SW must be established either by way of a license agreement that allows the applicant temporary use of the easement described in paragraph 2 above to construct a private driveway

thereon, or must enter into a development agreement with the City for the construction of roadway and utility infrastructure to extend Riverwood Drive SW to the south edge of Parcel A.

4. Pursuant to Oronoco Code Section 152.283 a 20-foot wide permanent utility easement must be granted in favor of the City, in a location approved by the City Engineer, to connect City water service to the future residential home anticipated for development on Parcel A. The costs associated with this connection must be paid including the water connection charge and water availability charge.
5. The fee title owner must connect the property to a septic system that meets guidelines of the MPCA, Olmsted County, and the City of Oronoco.

WHEREAS, City Staff has reviewed the submitted application and has found that the lot split, if approved, will have no adverse effects on adjoining property; and that the lot split will not result in a lot or portion of a lot which lacks access to a public street or roadway, subject to the grant to the City of a roadway easement directly to the west of Parcel A and extension of Riverwood Drive SW to the south lot line of the applicant; and

WHEREAS, the Planning and Zoning Committee reviewed the requested lot split and City Staff recommendations at its meeting on August 13, 2020; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ORONOCO OF THE CITY OF ORONOCO, MINNESOTA TO RECOMMEND THAT THE CITY COUNCIL OF ORONOCO:

The Oronoco Planning Zoning Committee recommends that the City Council:

Approves the Lot Split Application Subject to the Following Conditions:

1. The fee title owner of Parcel A must provide a ten foot wide permanent utility and drainage easement in favor of the City of Oronoco, on the west and south lot lines and no less than 5-foot wide along the north and south lot lines of Parcel A, as depicted on the attached Survey. The applicant must sign an easement agreement, in a form acceptable to the City, granting said easement. The applicant, at the applicant's expense, must provide to the City a legal description of said easement.
2. The fee title owner of Parcel A must provide a 66-foot wide permanent roadway, drainage, and utility easement in favor of the City of Oronoco,

directly to the west of Parcel A to the south lot line of Parcel A. This easement is depicted on the attached survey as "roadway easement." The applicant must amend the survey to indicate the easement as a "roadway, drainage, and utility easement." The applicant must sign a utility easement, in a form acceptable to the City, granting said easement. The applicant, at the applicant's expense, must provide to the City a legal description of said easement.

3. The fee title owner of Parcel A must do the following

Be granted a revocable license agreement, in a form acceptable to the City, for use of the portion the 66-foot wide easement necessary to construct a private driveway to connect with Riverwood Drive SW.

4. Pay the costs associated with this connection from Parcel A to the municipal water system, including the water connection charge and water availability charge.
5. The fee title owner must connect the property to the Riverwood Hills Community Wastewater Treatment System and must obtain governmental approvals for the same prior to commencing construction.
6. Additional Conditions:
  - a. Applicant agrees to include Parcel A on any future plat that includes contiguous land within the residue parcel, which is owned by the applicant.
  - b. All costs except City engineering and legal fees are paid by applicant.

BE IT FURTHER RESOLVED BY THE CITY OF ORONOCO OF THE CITY OF ORONOCO, MINNESOTA:

1. That if the lot split permit described herein is granted by the City, all conditions listed in this Resolution that are the responsibility of the applicant must be completed within one year of the date of this Resolution.
2. That, in the event the applicant fails to meet any condition upon which City Council approval is granted, or one year expires without the conditions being met by the applicant, the City Council will revoke this Resolution by adoption a resolution of revocation and filing the same with the Olmsted County Recorder.

Passed by the City Council of the City of Oronoco, Minnesota this 15<sup>th</sup> day of September 2020.

Ryland Eichhorst

Mayor Ryland Eichhorst

(SEAL)

ATTEST:

Jerilyn Horton-Richter  
Jerilyn Horton-Richter  
City Clerk

VOTE: \_3-AYE, 2 - NAYE  
AYE\_\_ EICHHORST  
NAYE\_\_ KRAUSE  
AYE\_ SHIELDS \_  
NAYE\_\_ NOVAK \_  
AYE\_\_ QUIMBY

Exhibit A

Legal Description of Parcel A and Residue Parcel

PROPOSED PROPERTY DESCRIPTIONS

Parcel A:

That part of the Northwest Quarter of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of Lot 3, Block 1, RIVERWOOD HILLS FOURTH, according to the recorded plat thereof; thence North 89 degrees 20 minutes 43 seconds East, assumed bearing, along the southerly line of said RIVERWOOD HILLS FOURTH, 248.49 feet to the easterly right of way line of Riverwood Drive SW as dedicated in said RIVERWOOD HILLS FOURTH, for the point of beginning; thence South 00 degrees 39 minutes 07 seconds East, along the southerly extension of said right of way line, 217.00 feet; thence North 89 degrees 20 minutes 53 seconds East, 91.50 feet; thence southeasterly 127.77 feet along a tangential curve, concave southwesterly, central angle of 26 degrees 48 minutes 56 seconds, radius of 273.00 feet and a chord which bears South 77 degrees 14 minutes 39 seconds East, 126.61 feet; thence North 26 degrees 09 minutes 49 seconds East, not tangent to said curve, 250.13 feet to the southerly line of said RIVERWOOD HILLS FOURTH (the next 3 courses are along said southerly line); thence North 54 degrees 36 minutes 55 seconds West, 56.31 feet; thence South 89 degrees 20 minutes 53 seconds West, 281.96 feet to the southwest corner of Lot 6, Block 3, in said RIVERWOOD HILLS FOURTH; thence South 00 degrees 39 minutes 07 seconds East, along the easterly right of way line of said Riverwood Drive SW, 10.00 feet to the point of beginning.

Containing 1.50 acres, more or less.

Residue:

The Northwest Quarter of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota, except the following described parcel:

Beginning at the northwest corner of said Northwest Quarter, thence Southerly on an assumed azimuth from North of 180 degrees 15 minutes 18 seconds, along the west line of said Northwest Quarter, 2101.00 feet; thence Northeasterly 52 degrees 24 minutes 42 seconds azimuth, 1291.61 feet; thence Northerly 00 degrees 15 minutes 18 seconds azimuth, 1315.88 feet to the north line of said Northwest Quarter; thence Westerly 269 degrees 50 minutes 45 seconds azimuth, along said north line, 1020.00 feet to the point of beginning.

ALSO EXCEPT:

Those part platted as RIVERWOOD HILLS and RIVERWOOD HILLS FOURTH, lying within the Northwest Quarter of said Section 19.

ALSO EXCEPT:

The South 467 feet of the East 467 feet of the Northwest Quarter of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota.

ALSO EXCEPT:

That part of the Northwest Quarter of Section 19, Township 108 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of Lot 3, Block 1, RIVERWOOD HILLS FOURTH, according to the recorded plat thereof; thence North 89 degrees 20 minutes 43 seconds East, assumed bearing, along the southerly line of said RIVERWOOD HILLS FOURTH, 248.49 feet to the easterly right of way line of Riverwood Drive SW as dedicated in said RIVERWOOD HILLS FOURTH, for the point of beginning; thence South 00 degrees 39 minutes 07 seconds East, along the southerly extension of said right of way line, 217.00 feet; thence North 89 degrees 20 minutes 53 seconds East, 91.50 feet; thence southeasterly 127.77 feet along a tangential curve, concave southwesterly, central angle of 26 degrees 48 minutes 56 seconds, radius of 273.00 feet and a chord which bears South 77 degrees 14 minutes 39 seconds East, 126.61 feet; thence North 26 degrees 09 minutes 49 seconds East, not tangent to said curve, 250.13 feet to the southerly line of said RIVERWOOD HILLS FOURTH (the next 3 courses are along said southerly line); thence North 54 degrees 36 minutes 55 seconds West, 56.31 feet; thence South 89 degrees 20 minutes 53 seconds West, 281.96 feet to the southwest corner of Lot 6, Block 3, in said RIVERWOOD HILLS FOURTH; thence South 00 degrees 39 minutes 07 seconds East, along the easterly right of way line of said Riverwood Drive SW, 10.00 feet to the point of beginning.

Containing in all, 75.01 acres, more or less.

Exhibit B

Survey



