

CITY OF LEXINGTON
COUNTY OF ANOKA
STATE OF MINNESOTA

RESOLUTION #19-10

A RESOLUTION AUTHORIZING RECORDING OF DOCUMENTS RELATED TO THE
PLAT, EPHESIANS AT LEXINGTON

WHEREAS, 89 LEXINGTON LAKES, LLC, (“Applicant”), seeks to combine the following parcels into a single Plat, Ephesians At Lexington (the “Subject Parcels”):

1. 8941 Syndicate Avenue, Lexington, Property Identification Number 35-31-23-13-0032. Legally described as Lot Twenty-three (23), except the East Thirty-three feet thereof, Lexington Park 2nd Addition, according to the plat thereof on file and of record in the Office of the Register of Deeds in and for Anoka County, Minnesota.
2. 8925 Syndicate Avenue, Lexington, Property Identification Number 35-31-23-13-0034. Legally described as Lot Twenty-four (24), Lexington Park 2nd Addition, according to the plat thereof on file and of record in the Office of the Register of Deeds in and for Anoka County, Minnesota.
3. Unassigned situs, Lexington, Property Identification Number 35-31-23-13-0054. Legally described as The West 150 feet of Lot Thirty-eight (38), Lexington Park 2nd Addition, according to the recorded plat thereof, Anoka County, Minnesota.
4. Unassigned situs, Lexington, Property Identification Number 35-31-23-13-0051. Lot Thirty-seven (37), except the East 131 feet thereof, Lexington Park 2nd Addition, according to the recorded plat thereof, Anoka County, Minnesota.
5. The East thirty-three (E.33) feet of Lot Twenty-three (23), Lexington Park 2nd Addition, according to the recorded plat thereof, Anoka County, Minnesota.
Torrens Property.

WHEREAS, the City Council has adopted the following Resolutions relevant to the Plat, Ephesians at Lexington:

- Resolution 19-06 - Adopting Development Agreement and Amendment to Development Agreement for Ephesians
- Resolution 19-07 - Authorizing Vacation Of Easements
- Resolution 19-08 - Authorizing Quitclaim Deed
- Resolution 19-09 - Adopting Final Plat For Ephesians

WHEREAS, the Applicant requests authorization to record the following documents with the Anoka County Recorder (the “Documents”):

Development Agreement and Amendment to Development Agreement for Ephesians at Lexington
Conditional Use Permit for Ephesians at Lexington
Final Plat for Ephesians at Lexington
Vacation of Easements
Quitclaim Deed

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lexington, Minnesota:

1. GRANTS AUTHORIZATION TO RECORD the Final Plat with Anoka County, subject to the following conditions:
 - a. All Documents must be in a form approved by the City Attorney, City Building Official, and/or City Engineer;
 - b. The Final Plat must be recorded simultaneous to the Conditional Use Permit, and Development Agreement and its Amendment;
 - c. All Documents must be recorded with sufficient priority to ensure their operation, and in a manner satisfactory to the City Attorney; and,
 - d. All conditions of the Development Agreement and its Amendment, and the legal obligations of the City as to the development of the Ephesians at Lexington must be in a manner satisfactory to the City Attorney, City Building Official, and/or City Engineer.
2. CITY ADMINISTRATOR TO OVERSEE CONDITIONS. The City Administrator shall determine when these conditions governing the Authorization to Record have been satisfied. Once the conditions have been satisfied he shall author a letter certifying satisfaction of all relevant conditions.
3. 89 LEXINGTON LAKES, LLC, is authorized to File and Record the Final Plat for Ephesians At Lexington with Anoka County after receiving written certification from the City Administrator.
4. GRANTS POWERS AND DESIGNATES REPRESENTATIVES. For purposed of Closing this transaction and effectuating recording of the Documents, the City Council designates its representatives and signatories as City Administrator, Bill Petrcek, or City Attorney Kurt Glaser, each with equal and independent powers, for all purposes necessary to convey the Subject Property to 89 LEXINGTON LAKES, LLC. These powers include but are not limited to executing or authorizing the Quitclaim Deed, Certification Regarding Foreign Investment In Real Property Tax Act, Seller’s Closing Statement, or Affidavit Regarding Business Entity. These powers also include but are not limited to executing or authorizing any document related to the vacation of easements as set forth in Resolution 19-07. These powers also include but are not limited to executing or authorizing any document related to the transfer or quitclaim of the Subject Property set forth in Resolution 19-08.

PASSED AND DULY ADOPTED this 7th day of March 2019 by the City Council of the City of Lexington.

Mark Kurth, Mayor

Attest:

Bill Petracek, City Administrator

City Attorney has original