

**CITY OF BAXTER, MINNESOTA  
RESOLUTION 2026-063**

**RESOLUTION REVOKING REAL ESTATE DOCUMENTS AFFECTING LOTS 1 & 2, BLOCK 3, JMS  
BAXTER ESTATES**

WHEREAS, the City of Baxter (the "City") entered into the Agreement for Development of JMS Mill Run with Schoena Investments, Inc. on September 17, 2004, recorded on October 15, 2004 as Document Number 0674666 with the Crow Wing County Recorder ("Development Agreement") covering the land formerly platted as Outlots A and F of Baxter Estates;

WHEREAS, Schoena Investments, Inc. placed a Declaration of Covenants, Conditions and Restrictions, recorded on May 25, 2004 as Document Number 0664743 with the Crow Wing County Recorder ("Declaration"), on Lots 1-3, Block 1, Lot 1, Block 2, Lots 1-2, Block 3, JMS Baxter Estates, Crow Wing County, Minnesota, according to the recorded plat thereof.;

WHEREAS, the City entered into an Agreement regarding delinquent special assessments with Lakewood Bank N.A. (n/k/a First Western Bank & Trust) on May 3, 2011, recorded on May 10, 2013 as Document Number 0829364 with the Crow Wing County Recorder ("Lakewood Agreement"), on certain real property, including Lot 2, Block 3, JMS Baxter Estates; and

WHEREAS, some of the real property encumbered by the Development Agreement, Declaration, and Lakewood Agreement is now being purchased and developed by a different developer;

WHEREAS, the City has confirmed that, as relates to Lot 2, Block 3, JMS Baxter Estates, any outstanding special assessments are satisfied;

WHEREAS, the Declaration, Development Agreement, and Lakewood Agreement is inhibiting the proposed development and therefore Council wishes to discharge the Declaration, Development Agreement, and Lakewood Agreement as to the real property legally described as:

**Lots 1 and 2, Block 3, JMS Baxter Estates, Crow Wing County, Minnesota,  
according to the recorded plat thereof.**

("Property");

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does:

1. Grant the request for discharge of the Development Agreement as to the Property.
2. Grant the request for discharge of the Declaration as to the Property.
3. Grant the request for discharge of the Lakewood Agreement as to the Property
4. Authorizes City Staff and the City Attorney to execute and record title-related documents to effect the discharge of the Declaration, Development Agreement, and Lakewood Agreement.

**Whereupon, said Resolution is hereby declared adopted on this 18<sup>th</sup> day of August, 2026.**

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**Darrel Olson, Mayor**

**ATTEST:**

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**Kelly Steele, City Clerk**

*City seal*