

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-088**

**RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT
OF "FRANDSEN ADDITION" FOR PROPERTY LOCATED STATE HIGHWAY 371, NOVOTNY ROAD AND
DELLWOOD DRIVE (CITY FILE NUMBER 2026-037)**

WHEREAS, Mohagen Hansen Architecture / Interiors ("the applicant") has requested approval of a preliminary and final plat on property located between State Highway 371, Novotny Road, and Dellwood Drive, legally described as follows:

That part of the Northeast Quarter of the Southeast Quarter, Section 31, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the southeast corner of said Northeast Quarter of the Southeast Quarter; thence North 01 degree 14 minutes 03 seconds East, assumed bearing, 859.35 feet along the east line of said Northeast Quarter of the Southeast Quarter to the point of beginning of the tract to be described; thence South 55 degrees 45 minutes 42 seconds West 564.81 feet to the northeasterly right-of-way line for Trunk Highway No. 371; thence North 34 degrees 14 minutes 18 seconds West 975 .65 feet along said right-of-way line to the north line of said Northeast Quarter of the Southeast Quarter; thence South 88 degrees 56 minutes 20 seconds East 1026.18 feet along said north line to the northeast corner of said Northeast Quarter of the Southeast Quarter; thence South 01 degree 14 minutes 03 seconds West 469.91 feet along said east line of the Northeast Quarter of the Southeast Quarter to the point of beginning.

EXCEPT

That part of the East 33.00 feet of the Northeast Quarter of the Southeast Quarter, Section 31, Township 134, Range 28, Crow Wing County, Minnesota which lies north of the following described line; Commencing at the southeast corner of said Northeast Quarter of Southeast Quarter; thence North 00 degrees 16 minutes 23 seconds East, bearing based on Crow Wing County Coordinate Database NAD 83, 859.35 feet along the East line of said Northeast Quarter of Southeast Quarter to the point of beginning of the line to be described; thence South 54 degrees 48 minutes 02 seconds West 40.52 feet to the West line of said east 33.00 feet of the Northeast Quarter of Southeast Quarter and said line there ending.

AND ALSO EXCEPT

That part of said Northeast Quarter of Southeast Quarter, described as follows: Commencing at the northeast corner of said Northeast Quarter of Southeast Quarter; thence North 89 degrees 54 minutes 33 seconds West, bearing based on Crow Wing County Coordinate Database NAD 83, 33.00 feet along the North line of said Northeast Quarter of Southeast Quarter to the West line of the East 33.00 feet of said Northeast Quarter of Southeast Quarter, the point of beginning of the tract to be described; thence continuing North 89 degrees 54 minutes 33 seconds West 97.00 feet along said North line of the Northeast Quarter of Southeast Quarter; thence South 74 degrees 40 minutes 27 seconds East 93.20 feet to the west line of the East 40.00 feet of said Northeast Quarter of

Southeast Quarter; thence South 00 degrees 16 minutes 23 seconds West 260.18 feet along said west line of the East 40.00 feet of said Northeast Quarter of Southeast Quarter to a point 284.80 feet south and 40.00 feet west of said northeast corner of the Northeast Quarter of Southeast Quarter; thence South 89 degrees 43 minutes 37 seconds East 7.00 feet to said west line of the East 33.00 feet of the Northeast Quarter of Southeast Quarter to a point 284.80 feet south and 33.00 feet west of said northeast corner of the Northeast Quarter of Southeast Quarter; thence North 00 degrees 16 minutes 23 seconds East 284.70 feet along said West line of the East 33.00 feet of the Northeast Quarter of Southeast Quarter to the point of beginning. Together with and subject to easements of record. Subject to right of way of record.

AND

That part of the East One-half of the Northeast Quarter, Section 31, Township 134 North, Range 28 West, described as follows: Commencing at the East quarter corner of said Section 31; thence West assumed bearing, along the South line of said East One-half of the Northeast Quarter 765.57 feet to the point of beginning; thence North 15 degrees 26 minutes 00 seconds East 203.73 feet to the centerline of an existing public road; thence South 74 degrees 34 minutes 00 seconds East along the centerline of said public road 131.45 feet; thence South 15 degrees 26 minutes 00 seconds West 167.44 feet to the South line of said East One-half of the Northeast Quarter; thence westerly along said south line of said East One-half of the Northeast Quarter to the place of beginning, according to the U.S. Government Survey thereof on file and of record in the office of the County Recorder in and for said County and State;

EXCEPT

That portion of the above-described property which lies within a 66.00 foot wide strip of land, the centerline of which is described as follows: Commencing at the East quarter corner; thence North 01 degrees 07 minutes 41 seconds East 33.01 feet along the East line of said Southeast Quarter of the Northeast Quarter, Section 31, Township 134 North, Range 28 West to the point of beginning of the centerline to be described; thence North 89 degrees 54 minutes 33 seconds West 79.47 feet; thence northwesterly 80.81 feet along a tangential curve concave to the North, central angle 15 degrees 26 minutes 02 seconds and radius 300.00 feet; thence North 74 degrees 28 minutes 33 seconds West, tangent to the last described curve, 708.86 feet; thence westerly 105.53 feet along a tangential curve concave to the South, central angle 30 degrees 13 minutes 57 seconds and radius 200.00 feet to the easterly right of way line of State Trunk Highway 371 and said centerline there terminating. The sidelines of said 66.00 foot wide strip of land shall be prolonged or shortened to terminate at said easterly right of way line of State Trunk Highway 371 and at the South and East lines of said Southeast Quarter of the Northeast Quarter, Section 31, Township 134 North, Range 28 West.

AND

That part of the East Half of the Northeast quarter of Section 31, Township 134, Range 28, Crow Wing County, Minnesota, described as follows: Beginning at the East quarter corner of said Section 31, thence West assumed bearing along the South line of the said East Half of the Northeast Quarter 629.20 feet, thence North 15 degrees 26 minutes 00 seconds East 167.44 feet to the centerline of the existing public road, thence south 74 degrees 34 minutes 00 seconds East along the centerline of said public road 606.51 feet to the point of beginning;

EXCEPT

A portion of the following described: That part of the East Half of the Northeast Quarter (E1/2-NE1/4), Section 31, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Beginning at the East Quarter Corner of said Section 31; thence West assumed bearing, along the south line of said E1/2-NE1/4 629.20 feet; thence North 15 degrees 26 minutes 00 seconds East 167.44 feet to the centerline of an existing public road; thence South 74 degrees 34 minutes 00 seconds East along the centerline of said public road 606.51 feet to the point of beginning.

Said portion of the above described property being that part which lies within a 66.00 foot wide strip of land, the center line of which is described as follows: Commencing at said East Quarter Corner of Section 31 and assuming that the south line of said SE1/4-NE1/4 bears North 89 degrees 54 minutes 33 seconds West from said East Quarter Corner; thence North 01 degrees 07 minutes 41 seconds East 33.01 feet along the east line of said SE1/4-NE1/4 to the point of beginning of the center line to be described; thence North 89 degrees 54 minutes 33 seconds West 79.47 feet; thence northwesterly 80.81 feet along a tangential curve concave to the north, central angle 15 degrees 26 minutes 02 seconds and radius 300.00 feet; thence North 74 degrees 28 minutes 33 seconds West, tangent to the last described curve, 708.86 feet; thence westerly 105.53 feet along a tangential curve concave to the south, central angle 30 degrees 13 minutes 57 seconds and radius 200.00 feet to the easterly right of way line of State Trunk Highway 371 and said centerline there terminating. The side lines of said 66.00 foot wide strip of land shall be prolonged or shortened to terminate at said easterly right of way line of State Trunk Highway 371 and at the south and east lines of said SE1/4-NE1/4.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called a Public Hearing on October 13, 2026, and recommends approval, and;

WHEREAS, the City Council considered the Planning and Zoning Commission recommendation at their October 20, 2026 meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the request to approve preliminary and final plat of "Frandsen Addition", based on the finding that the standards in Title 11 of the Baxter Subdivision Ordinance are met as identified in the staff report dated September 8, 2026. Specifically:

1. The subdivision does not landlock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;
2. The subdivision does not fall within the corridors of any planned or proposed street as shown upon the official map or approved area plans; and
3. The subdivision does not violate any local, state or federally adopted law, ordinance, regulation, plan or policy.

FURTHER BE IT RESOLVED that the following conditions of approval shall be met:

1. The approval of the preliminary and final plat is based on the application and plans received by the city on September 15, 2026, except as amended by this resolution, based on the finding that all applicable subdivision standards have been met.
2. Approval of the preliminary and final plat shall be contingent upon approval of a conditional use permits and variances submitted with the subject application.
3. **Prior to Recording the plat**, the applicant shall:
 - a. Submit plat recording checklist items such as submittal of a plat check letter, title opinion, and electronic CAD version of the final plat, as reviewed and approved by city staff.
 - b. Pay park dedication based on the commercial rate in the City Fee Schedule at the time of payment.

- c. Remove the home and shed and their related foundations from 7405 Novotny Road or enters into a site improvement performance agreement with financial guarantee to escrow with the city until the home and shed are removed from the site.
 - d. Revise the plat to include the storm water treatment pond on the Frandsen Bank property or create a joint pond easement to be reviewed and approved by the city and to be recorded with Crow Wing County.
- 4. A building permit is required prior to beginning any new construction.
 - 5. No building permits shall be issued until the final plat, agreements, and easements are filed and recorded with Crow Wing County.
 - 6. The final plat approval shall expire two years from the date of this approval unless the applicant has recorded the plat or requested an extension in writing.

Whereupon, said Resolution is hereby declared adopted on this 20th day of October, 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal