

**ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-01**

**RESOLUTION DISCHARGING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
AFFECTING LOTS 1 & 2, BLOCK 3, JMS 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 certain real property within the City now owned by the Economic Development Authority of the City of Baxter, Minnesota ("EDA");

WHEREAS, some of the real property encumbered by the Declaration is now being purchased and developed by a different developer who is purchasing the real property from the EDA;

WHEREAS, the EDA presently owns, and has entered into a purchase and development agreement with Kuepers Land Development, LLC for the sale of 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");

WHEREAS, the Declaration encumbers the Property and is inhibiting the proposed development and therefore the EDA Board wishes to discharge the Declaration as to the Property;

WHEREAS; prior to the sale of the Property, the EDA wishes to memorialize and record a permanent bike and pedestrian easement along the north side of Lot 1, Block 3, JMS Baxter Estates;

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

1. Grant the request for discharge of the Declaration as to the Property.
2. Grant the request for a permanent bike and pedestrian easement on Lot 1, Block 3, JMS Baxter estates.
3. Authorizes City Staff and the City Attorney to execute and record title-related documents to effect the discharge of the Declaration and conveyance of a permanent bike and pedestrian easement.

Whereupon, said Resolution is hereby declared adopted on this 18th day of August, 2026.

Mark Cross, President

ATTEST:

Brad Chapulis, Executive Director