



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Jason Anderson
Meeting Date:	Tuesday, May 28, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Peachy Subdivision - 1) Approval of Preliminary Plat; 2) Consider Resolution Adopting the Final Plat
Background Information:	<p>Attached please find a copy of the Preliminary Plat and Engineer's Report of Preliminary Plat Review.</p> <p>The property owner is planning a demolition of existing buildings on the site and desires to create lots for sale and development.</p> <p>A copy of the proposed subdivision has been sent to the local utility companies for their review and comments.</p> <p>A public hearing was held on the preliminary plat at the Planning Commission meeting on May 8, 2024. Following discussion, Stoneberg made a motion, second by Deutz, to close the public hearing. all voted in favor. Doom made a motion, second by Deutz to recommend approval of the preliminary plat of Peachy Subdivision to the City Council, subject to utility companies review and recommendations. All voted in favor. Motion passed 7:0.</p> <p>Attached please find a copy of the Final Plat and Final Plat Checklist for Peachy Subdivision.</p>
Fiscal Impact:	The applicant has paid the \$300 escrow for direct costs relating to the plat and the difference will be refunded or billed to the applicant according to the current Fee Schedule.
Alternative/ Variations:	Any additional requirements recommended by the Planning Commission.
Recommendations:	<p>Recommendation No. 1 that the Council approve the Preliminary Plat of Peachy Subdivision.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION 24-057, which is the Resolution Approving the Final Plat of Peachy Subdivision.</p>

RESOLUTION 24-057

RESOLUTION APPROVING THE FINAL PLAT OF PEACHY SUBDIVISION

WHEREAS, the developer has filed with the Common Council, a Preliminary Plat identified as Peachy Subdivision situated in the City of Marshall, County of Lyon, State of Minnesota, described as follows, to-wit:

PEACHY SUBDIVISION BLOCK ONE LOTS 1-2

more particularly described as attached Exhibit A.

WHEREAS, the Final Plat of Peachy Subdivision was presented to the Common Council on May 28, 2024.

NOW THEREFORE BE IT FURTHER RESOLVED, that said Final Plat of Peachy Subdivision has been duly found to be in conformity with Chapter 66 of the Code of Ordinances and State Statutes.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Common Council hereby authorizes and directs the City Clerk to certify his approval on the plat.

NOW THEREFORE BE IT FURTHER RESOLVED THAT this resolution shall become void 90 days after adoption and fulfillment of all contingencies of approval, if any, unless the plat is filed for record within such time.

Passed and adopted by the Common Council this 28th day of May, 2024.

ATTEST:

City Clerk

Mayor of the City of Marshall, MN

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer

EXHIBIT A

(Document no. 1624496)

Tract A and Tract B

The Easterly 100 feet of that part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Three (3), Township One Hundred Eleven (111) North, Range Forty-one (41) West of the Fifth Principal Meridian in Lyon County, Minnesota, described as follows: Beginning at a point 1333 feet east of the West quarter corner of Section 3, Township 111 North, Range 41 West and 50 feet south of the center line of T.H. No. 19 as now laid out and constructed; thence in a westerly direction along the right of way line of T.H. No. 19 a distance of 211 feet; thence south at right angles a distance of 240 feet; thence east and parallel with the center line of T.H. No. 19 a distance of 211 feet; thence north a distance of 240 feet to the point of beginning.

AND

A tract of land located in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Three (3), Township One Hundred Eleven (111) North, Range Forty-one (41) West, Lyon County, Minnesota, being more particularly described as follows: Commencing at the Northeast corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Three (3), thence North 90 degrees 00 minutes 00 seconds West, assumed bearing along the North line of said Southwest Quarter 1176.00 feet; thence South 00 degrees 00 minutes 00 seconds East 50 feet to the point of beginning, said point of beginning being on the South right of way line of Trunk Highway number 19; thence South 00 degrees 17 minutes 28 seconds East 300.00 feet to a point on the North line of Sunrise Park Addition to the City of Marshall, Minnesota; thence North 90 degrees 00 minutes 00 seconds West along said North line 152.93 feet to the West line of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 31 minutes 32 seconds West along said West line 300.00 feet to said South right of way line; thence North 90 degrees 00 minutes 00 seconds East along said South right of way line 154.21 feet to the point of beginning.

EXCEPTING THEREFROM: All that part of Tracts A and B described above which lies North of a line run parallel with and distant 57 feet South of line I described below:

Line I: Beginning at a point on the west line of Section 3, Township 111 North, Range 41 West, which is 5.64 feet South of the West quarter corner of said Section 3; thence Easterly on an azimuth of 90 degrees 54 minutes 10 seconds the direction is based on the Minnesota State Plane Coordinate System, South Zone, No 11h American Datum of 1927, a distance of 1,426.34 feet; thence Easterly a distance of 177.38 feet along a tangential curve concave to the South, having a radius of 68,754.94 feet and a central angle of 00 degrees 08 minutes 52 seconds; thence on an azimuth of 91 degrees 03 minutes 02 seconds, tangent to said curve, a distance of 3,794.40 feet to a point on the East line of said Section 3 which is 4.62 feet North of the East Quarter corner thereof.

AND

Tract C

All that part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), of Section Three (3), Township One Hundred Eleven (111) North, Range Forty-one (41) West of the Fifth Principal Meridian in Lyon County, Minnesota, described as follows: Commencing at the NE corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ thence South 00 degrees 31 minutes 32 seconds East, assumed bearing, along the east line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ 50 feet to a point on the S'ly right of way of Trunk Highway Number 19; thence North 90 degrees 00 minutes 00 seconds West along the S'ly right of way line 97.68 feet; thence South at right angles to said right of way 240.00 feet to the Point of Beginning; thence on a continuation of last line South 60.00 feet; thence North 90 degrees 00 minutes 00 seconds East parallel with said right of way line 97.68 feet more or less to a point on the said East line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 00 degrees 31 minutes 32 seconds West along said east line 60.00 feet; thence North 90 degrees 00 minutes 00 seconds West 97.68 feet to the Point of Beginning.