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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**CC:** JOSHUA M. TETZLAFF – CITY ADMINISTRATOR  
**FROM:** KEN ONDICH – COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** REVISED FIRST AMENDMENT TO DEVELOPER’S AGREEMENT FOR  
TUREK ESTATES  
**DATE:** 4/27/2026

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At the March 7<sup>th</sup>, 2026 City Council meeting, the City Council approved the “First Amendment to Developer’s Agreement For Turek Estates” which was proposed to allow a non-family member to purchase two properties within the Turek Estates plat and to continue to utilize and existing shared driveway. The agreement language was developed with the Lanesburgh Township Board meeting on February 9<sup>th</sup>, but the township attorney later requested changes to the language following the City Council’s approval.

City Attorney Scott Riggs reviewed the proposed language change from the township attorney and approves of the change, but noted that the City Council must re-approve the First Amendment Document. Below is the proposed changes shown from what the Council approved earlier:

7.2 **Street Section** – Developer, City and Township agree and understand that the Township has established minimum specifications for the construction of new **T**ownship roads, such specifications require a paved bituminous surface meeting 9-ton standards. The **T**ownship has agreed to an exception, contrary to the normal minimum specifications of paving, to allow an existing shared gravel driveway between the home on Lot 1, Block 1, Turek Estates 2<sup>nd</sup> Addition (1093 15<sup>th</sup> Street SW) and the home on Lot 2, Block 2, Turek Estates (1097 15<sup>th</sup> Street SW) to be used for ingress and egress to each respective home. The owner of Lot 2, Block 2, Turek Estates ~~shall~~**will** be responsible for maintenance and upkeep of the driveway, at the owner of Lot 2, Block 2, Turek Estates’ sole expense, unless otherwise agreed to in a shared driveway agreement between the two property owners and approved by both the City and Township and recorded against the properties. -Developer shall not be required to construct the right-of-way for 15<sup>th</sup> Street SW to Township bituminous road standards at this time. It is the intent of the parties that the Township shall hold said right-of-way in trust until such time as the road is constructed by Developer, their successors and assigns, at their sole expense, to Township bituminous road standards in effect at time of construction due to subsequent division and/or development including, but not limited to,

~~home construction, of any of the lots within the plat of Turek Estates or Turek Estates 2<sup>nd</sup> Addition. Required roadway improvements are delayed until any additional homes are proposed to be constructed within the plat of Turek Estates or Turek Estates 2<sup>nd</sup> Addition.~~



**Staff Recommendation:**

Staff recommends approval of the revised “First Amendment to Developer’s Agreement for Turek Estates”.

**Attachments:**

1. Revised - First Amendment to Developer’s Agreement for Turek Estates