

**CITY OF CREDIT RIVER  
SCOTT COUNTY, MINNESOTA  
RESOLUTION NO. 2022-07**

**A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR A  
DEVELOPMENT KNOWN AS ROBIN VIEW**

**WHEREAS**, the City of Credit River is a Minnesota Municipal Corporation, duly organized and authorized to conduct its affairs under the laws of the State of Minnesota; and

**WHEREAS**, Michael and Gail Robin, (the “Developer”) is the owner of certain real property located in the City of Credit River, State of Minnesota, legally described as follows:

The South 658.78 feet of the North 1312.11 feet of the East half of the Southwest Quarter of Section 29, Township 114, Range 21, Scott County, Minnesota, lying Easterly of the following described Line A:

Line A is described as commencing at the Southwest corner of the East half of the Southwest Quarter of said Section 29; thence East, on an assumed bearing along the South line of the East half of the Southwest Quarter, a distance of 572.50 feet to the point of beginning of said Line A; thence North 1 degree 28 minutes 36 seconds East, a distance of 100.00 feet; thence Northerly and Northeasterly, a distance of 195.91 feet along a tangential curve concave to the East having a central angle of 28 degrees 20 minutes 19 seconds and a radius of 396.09 feet to a point of reverse curve; thence Northeasterly and Northerly, a distance of 195.91 feet along a reverse curve concave to the West having a central angle of 28 degrees 20 minutes 19 seconds and a radius of 396.09 feet; thence North 1 degree 28 minutes 36 seconds East tangent to the last described curve, a distance of 1516.73 feet to a point hereinafter referred to as Point X; thence continuing North 1 degree 28 minutes 36 seconds East to the North line of said East half of the Southwest Quarter and said Line A there terminating.  
(the “Subject Property”); and

**WHEREAS**, the Developer has requested approval of a preliminary and final plat so as to allow the Developer to plat the Subject Property into various lots as shown on a final plat for a development entitled Robin View, the most recent revision of said plat and plans updated January 21, 2022 (unless otherwise noted) were prepared by Stonebrooke Engineering, Inc. and containing the following sheets:

- a. Preliminary Plat
- b. Grading, Drainage and Erosion Control Plan
- c. Standard Details
- d. Final Plat

(the “Site Plans”); and

**WHEREAS**, the City Council has considered the proposed Preliminary and Final Plat and it makes the following findings of fact:

1. The proposed Final Plat is consistent with the approved Preliminary Plat; and
2. There are numerous technical issues to be resolved prior to approval of construction plans; and
3. The Final Plat prepared by Stonebrooke Engineering, Inc. is attached hereto as “Exhibit A”.

**NOW, THEREFORE**, be it resolved that the Preliminary and Final Plat for ROBIN VIEW prepared by Stonebrooke Engineering, Inc. is approved subject to the following conditions:

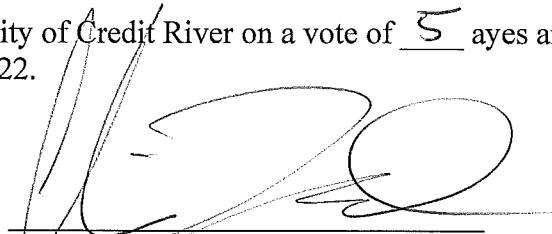
1. The findings set forth above are incorporated into this Resolution as though set forth in full.
2. All conditions and comments contained within the memo from Hakanson Anderson and Collaborative Planning dated October 15, 2021 (the “Staff Letter”) are incorporated herein.
3. All comments contained within the memo from Scott County Environmental Services dated January 5, 2022 (the “Scott County Memo”) are incorporated herein and shall be addressed by the Developer to the satisfaction of Scott County as a condition of preliminary plat approval.
4. The Subject Property shall be constructed in substantial compliance with the Site Plans as revised to conform to the requirements of the Staff Letter and conditions of this resolution.
5. No construction shall be permitted on the Subject Property until updated Stonebrooke Engineering Plans addressing the comments of the Staff Letter and the conditions of this Resolution are provided for review and approval in writing by the City Engineer and City Planner. Following approval by the City Engineer and City Planner, these plans shall collectively be known as the “Approved Construction Plans”. The Final Plat shall not be released for recording until Approved Construction Plans exist.
6. If the Approved Construction Plans addressing the comments of the City Engineer, City Planner, or outside agencies necessitate revisions to any of the lot lines or easements on the Subject Property, then the Final Plat shall be revised by the Developer and submitted for amended approval by the City Council. If an off-site easement is required to address a comment, then a separate easement document shall be provided to the City for review and approval prior to release of the Final Plat for recording.
7. To the extent that there are differences or conflicts between the Approved Construction Plans and this resolution, the terms of this resolution shall be controlling.
8. The timing of the construction of the infrastructure improvements on the Subject Property will be subject to the conditions of a Developers Agreement between the City and the Developer.

9. The Developer's Agreement shall address conditions under which the accessory structure on Lot 3 can temporarily remain pending construction of a home on this lot.
10. The existing septic system drain field for Lot 2 is currently located on Lot 1 of Said Plat. Developer shall relocate the existing drain field completely onto Lot 2 by June 30, 2023 unless otherwise agreed to in writing by the City Council. If the drain field is not timely relocated onto Lot 2, Developer shall dedicate and record, at its sole expense, a utility easement over Lot 1 for the existing drain field in a form and with a legal description acceptable to the City Engineer and City Attorney by August 15, 2023.
11. The Developer shall secure all easements for and construct all street, utility, trail, stormwater, park, and other improvements as shown on the Approved Construction Plans at their sole expense except as provided for herein.
12. The approval of the Final Plat shall terminate if a Developer's Agreement has not been entered into between the City and Developer by February 22, 2023.
13. The approval of the Final Plat shall terminate unless all conditions of this resolution are completed and the Final Plat is recorded no later than February 22, 2023.
14. A current title commitment shall be provided for the review of the City Attorney before the Final Plat is released for recording.
15. If the Subject Property is subject to a mortgage, the Developer will need to provide a Consent to Plat and a Subordination Agreement from the mortgage holder in a form acceptable to the City Attorney.
16. Financial security in a form required by the City Code and approved by the City Attorney and in an amount approved by the City Engineer must be provided by the Developer prior to release of the Final Plat for recording. The Developers Agreement shall specify the amount of the financial security.
17. The Developer must reimburse the City for all costs incurred by the City and its consultants in relation to review of the proposed development plans as well as the preparation of the Developer's Agreement.
18. Individual wells and individual septic systems shall provide water and sanitary sewer service to the lots.
19. Any new utility lines installed to serve the Subject Property are required to be placed underground.
20. Park dedication and any other applicable city fees shall be paid prior to release of the final plat for recording as per the City fee schedule in effect at the time of the execution of the Developer's Agreement.

21. A title company should be selected by the Developer to coordinate the recording of documents with the City Planner. At the time of recording of the final plat, the City will require that all documents referenced in this memo are recorded together with the final plat (easements, etc.).
22. The Developer shall submit the plat, construction, and as-built plans in the electronic format required by the City Engineer.
23. The Developer shall survey all storm water holding ponds as required by the City. The Developer shall be responsible for storm sewer cleaning and holding pond dredging, as required, by the City prior to completion of the development of the Subject Property.
24. The Developer shall be responsible for obtaining and complying with all necessary permits from the Metropolitan Council, Minnesota Department of Health, DNR, Scott County WMO, PCA, MnDOT, and any other governmental agencies as applicable.
25. The Developer shall complete construction, site restoration and erosion control in accordance with all permitting agency requirements including but not limited to MPCA-NPDES, Scott County, and City Standards.
26. The Developer may not commence construction of any improvements on the Subject Property until the City Engineer has approved both the detailed grading plan and the detailed construction plan and issued written confirmation to the City and the Developer of the approval of such plans.
27. Additional conditions as determined necessary by the City Planner, City Engineer, and City Attorney prior to release of the final plat for recording.

Adopted and approved by the City Council of the City of Credit River on a vote of 5 ayes and 0 nays effective on the 22<sup>nd</sup> day of February, 2022.

Approved:



Chris Kostik, Mayor

Attested:



Karen Donovan, City Clerk

