

CERTIFIED FILED AND OR
RECORDED

98 DEC 30 PM 12:13

U.S. DEPARTMENT OF
MINNESOTA ACTING CO. REC. **7030164**

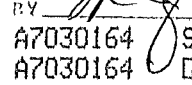
TRANSFER ENTERED
HENNEPIN COUNTY TAXPAYER SERVICES

7030164

11C/8 1-31-98

DEC 30 1998

HENNEPIN COUNTY MINN.
BY  DEPUTY

BY  DEPUTY
30DEC9812:11 A7030164 SCD \$4.50
30DEC9812:11 A7030164 DDC \$15.00

CLERK'S CERTIFICATION

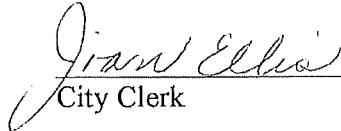
The undersigned duly qualified and acting City Clerk of the City of the Village of Minnetonka Beach, Minnesota, hereby certifies that attached hereto is a true and correct copy of:

**RESOLUTION NO. 1998-11
A RESOLUTION OF DENIAL**

**TO THE LAFAYETTE CLUB
FOR AN AMENDMENT TO THEIR CONDITIONAL USE PERMIT TO PERMIT
THE CONSTRUCTION OF TWO PADDLE BALL COURTS AND FOR THE
WINTER USE OF THE TENNIS BUILDING
FOR PROPERTY AT 2800 NORTHVIEW ROAD
LEGAL DESCRIPTION AS ATTACHED**

MINNETONKA BEACH, HENNEPIN COUNTY, MINNESOTA

As approved by the City Council of the City of the Village of Minnetonka Beach, which originals are on file in the office of the City Clerk, City of the Village of Minnetonka Beach.


City Clerk

CITY OF THE VILLAGE OF MINNETONKA BEACH

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CONSTRUCTION OF TWO PADDLE BALL COURTS AND FOR THE WINTER
USE OF THE TENNIS BUILDING
2800 NORTHVIEW ROAD
LEGAL DESCRIPTION AS ATTACHED

MINNETONKA BEACH, HENNEPIN COUNTY, MINNESOTA

WHEREAS, Section 229 of the City's Zoning Ordinances allows
with a Conditional Use Permit the operation of a Country Club
within the City of The Village of Minnetonka Beach;

WHEREAS, the matter has been reviewed by the Planning
Commission at a Public Hearing on November 17, 1997 and by the
City Council on December 8, 1997 and;

WHEREAS, the Council has recognized the negative impact of
winter use of this area upon the residential neighbors;

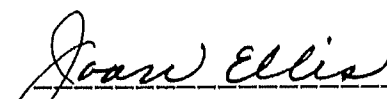
Lafayette Club CUP resolution of denial page 2 of 2

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of the Village of Minnetonka Beach, Minnesota, that an ammendment to the existing conditional use permit for paddle ball courts and for an increase from 8 (eight) to 12 (twelve) outdoor food events be denied, for the following reasons:

1. The lights as proposed with the application would be shining off site.
2. The increased traffic could be a problem for the residents in the area.

Date 1-31-98
ATTEST:



Bruce W. Palmer, Mayor

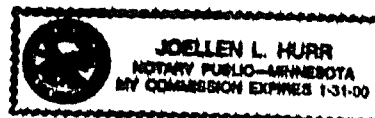

Joan Ellis, Clerk

Dated January 26, 1998


Lafayette Club

Subscribed and sworn to before me this 26th day of
January 1998


Notary Public



1-31-98

approved by
302-1100

CITY OF THE VILLAGE OF MINNETONKA BEACH

RESOLUTION NO. 1998-11

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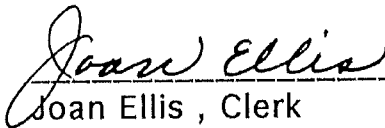
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ATTEST:



Bruce W. Palmer, Mayor


Joan Ellis, Clerk

Dated January 26, 1998


Lafayette Club

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Notary Public

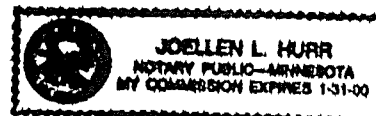


EXHIBIT 'B'
LEGAL DESCRIPTION

Parcel 1:

That part of Government Lots 5, 6 and 7, that part, now vacated, of Minnetonka Beach on Lake Minnetonka, and that part of the vacated streets and alleys adjoining said parcels, all in Section 16, Township 117, Range 23, described as follows: Beginning at the intersection of the north line of the Great Northern Railroad right-of-way with the southeasterly line of Cottage Place; thence easterly along the northerly line of said right-of-way to the west line of Lafayette Place vacated; thence northerly along said west line to the shore of Crystal Bay; thence northwesterly, westerly, and southwestery, along the shore of Crystal Bay, to the point of intersection with the northwesterly extension of the southwestery line of Lot 115, now vacated, Minnetonka Beach on Lake Minnetonka; thence southeasterly along said extension and said southwestery line to the most southerly corner of said Lot 115; thence Northeasterly along the Southeasterly line of Lots 115 and 114, now vacated, Minnetonka Beach on Lake Minnetonka, to the point of intersection with the northwesterly extension of the southwestery line of Lot 144, now vacated, Minnetonka Beach on Lake Minnetonka; thence southeasterly along said extension and said southwestery line, and along the southeasterly extension of the southwestery line of said Lot 144, to the southeasterly line of vacated Cottage Place; thence southwestery along the southeasterly line of vacated Cottage Place to the point of beginning:

ALSO: That part of Government Lot 6, Section 16, Township 117, Range 23, described as follows:

Beginning at the intersection of the south line of the right-of-way of the Great Northern Railroad and the west line of Lafayette Place; thence south along the west line of Lafayette Place to the north line of Lafayette Ave.; thence westerly along the north line of Lafayette Ave. to the east line of the street lying east of Lots 166 and 167 in Minnetonka Beach on Lake Minnetonka; thence north on the east side of said street to the south line of said right-of-way line; thence easterly along same to beginning, in Section 16, Township 117, Range 23, EXCEPT that part lying within the following described tract: That part of vacated Lafayette Place as platted in Minnetonka Beach on Lake Minnetonka and that part of Government Lot 6, Section 16, Township 117, Range 23 described as follows: Beginning at the southwest corner of Lot 1 of said Minnetonka Beach on Lake Minnetonka; thence west along the westerly extension of the south line of said Lot 1, a distance of 71 feet; thence north parallel with the westerly line of said Lot 1, a distance of 82.45 feet; thence east parallel with said south extended line of said Lot 1, a distance of 19 feet; thence north parallel with the westerly line of said Lot 1, to an intersection with north line of said Lot 1 extended westerly; thence east along the westerly extension of the north line of said Lot 1 to the northwest corner of said Lot 1; thence south along the westerly line of said Lot 1 to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

And according to the plat thereof on file and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota.

Parcel 2:

All that part of the Dakota Rail Inc. railroad right-of-way located in Section 16, Township 117, Range 23, Hennepin County, Minnesota which lies easterly of Northview Road, formerly Cottage Place as dedicated in the recorded plat of Minnetonka Beach, on Lake Minnetonka, Hennepin Co. and which lies westerly of the extension of the centerline of vacated Lafayette Place as dedicated in the recorded plat of Minnetonka Beach, on Lake Minnetonka, Hennepin Co. Except that part which lies 6 feet on each side of the centerline of the existing main line track.

Together with those parts of vacated Lafayette Place and Lafayette Avenue, which accrued to the subject property by vacation thereof.

Together with easements for crossing as set out in that certain Easement Agreement dated August 9, 1990, and September 18, 1990 as Document Number 5702973.

07/11/91, 11/20/91