

NOV 15 2011

HENNEPIN COUNTY MINN.  
BY  DEPUTY

CLERK'S CERTIFICATION

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

**RESOLUTION 2011 – 38**  
**A Resolution Approving the Conveyance of Real Property and**  
**Receiving a Conveyance of Real Property**

**To: Lafayette Club**  
**2800 Northview Rd.**  
**Minnetonka Beach, Minnesota**  
**Legal Description**

**Attachment A: That part of Cottage Lane, formerly an unnamed alley, and Northview Road, formerly Cottage Place, lying northeasterly of the northeasterly line of the southwesterly 8 feet of Lot 142, Minnetonka Beach, on Lake Minnetonka, and its southeasterly and northwesterly extensions, and lying southwesterly of the southwesterly line of Lot 144, Minnetonka Beach, on Lake Minnetonka and its southeasterly and northwesterly extensions.**

**North 15 feet of Lot 143, Minnetonka Beach, on Lake Minnetonka**  
**From: The City of the Village of Minnetonka Beach**


**To: The City of the Village of Minnetonka Beach**  
**From: Lafayette Club**  
**Legal Description**

**Attachment B: The northeasterly 12 feet of Lot 141 together with the southwesterly 8 feet of Lot 142, Minnetonka Beach on Lake Minnetonka, according to the recorded plat thereof from the Lafayette County Club.**

**Attachment C: Legal Description of Construction and Maintenance Easement as attached.**

**MINNETONKA BEACH, HENNEPIN COUNTY, MINNESOTA**

Duly passed and adopted by the City of the Village of Minnetonka Beach City Council on the 8<sup>th</sup> day of August, 2011.

  
Marilyn Regnier, City Clerk

11/3/11  
Date

Return to:  
City of Minnetonka Beach  
2945 Westwood Rd.  
P.O. Box 146  
Minnetonka Beach, MN 55361



Doc No **A9717285**

Certified, filed and/or recorded on  
11/21/11 10:00 AM

Office of the County Recorder  
Hennepin County, Minnesota  
Michael H. Cunniff, County Recorder  
Mark V. Chapin, County Auditor and Treasurer

Deputy 45

Pkg ID 750456

**Doc Name: Resolution**

Document Recording Fee \$46.00

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**Document Total** \$46.00

# CITY OF THE VILLAGE OF MINNETONKA BEACH

## RESOLUTION 2011 - 38

**A Resolution Approving The Conveyance of Real Property  
(Part of Vacated Cottage Lane and Part of Vacated Northview Road and The  
Northerly 15 Feet of Lot 143)  
Minnetonka Beach on Lake Minnetonka To The Lafayette Club  
And Receiving a Conveyance of Real Property  
(The northeasterly 12 feet of Lot 141 together with the southwesterly 8 feet of Lot  
142) Lafayette Country Club From The Lafayette Club**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of the Village of Minnetonka Beach, Minnesota was held on the 8th day of August, 2011. The following members were present: Mayor Joann Anderson, Council Members Linn Ferguson, Jill Bartel, Michelle Kroll and Treasurer Rick Skalla. Absent: Mike Taylor.

Council Member Bartel introduced the following resolution and moved its adoption:

**WHEREAS**, the City Council has received a request from the Lafayette Club to convey certain real property owned by the City as described in Attachment A and containing 5,000 square feet more or less to the Lafayette Club; and,

**WHEREAS**, the Lafayette Club has offered to convey certain real property owned by the Lafayette Club containing 2030 square feet more or less along with an utility easement to the City; and;

**WHEREAS**, Home Rule Charter, Article I and Minnesota Statute 465 enables the City Council to acquire, sell and convey real property; and.

**WHEREAS**, the City Council has approved a Conditional Use Permit Amendment on May 9, 2011 which provides for the conveyance of real property upon certain conditions; and,

**WHEREAS**, the City Council has authorized the Mayor to negotiate and enter into an agreement that among other things provides conveyance of real property to the Lafayette Club and to receive a conveyance of real property from the Lafayette Club; and

**WHEREAS**, the Mayor has entered into such and agreement and has agreed to convey certain city owned real property to the Lafayette Club and the Lafayette Club has agreed to convey certain to the City and to dedicate a utility easement to the City subject to City Council approval; and,

**WHEREAS**, the conveyance of real property to the Lafayette Club and the acceptance of a conveyance of real property from Lafayette Club is only effective when the City Council's approved final plat, Lafayette Country Club, is recorded by County of Hennepin's County Recorder of Titles.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF THE VILLAGE OF MINNETONKA BEACH, COUNTY OF HENNEPIN, MINNESOTA, to approve the conveyance of title of the north 15 feet of Lot 143 Minnetonka Beach on Lake Minnetonka and the conveyance of title of the vacated part of Cottage Lane and the vacated part of Northview Road to the Lafayette Club as described in the Attached A.**

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL to accept conveyance of real property (the northeasterly 12 feet of Lot 141 together with the southwesterly 8 feet of Lot 142, Minnetonka Beach on Lake Minnetonka) from the Lafayette County Club and the dedication of a utility easement by the Lafayette Club as described in Attachment B and Attachment C.**

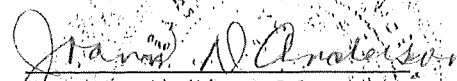
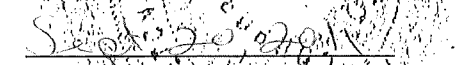
**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

The motion for adoption of the foregoing resolution was duly seconded by Council Member Ferguson and, upon vote being taken thereon, the following voted in favor thereof: Kroll, Bartel and Ferguson . The following voted against or abstained: None.

Whereupon the resolution was declared duly passed and adopted by a two thirds vote this 8<sup>th</sup> day of August, 2011.

ATTEST:

  
Marilyn Regnier, City Clerk

  
Joann D. Anderson, Mayor  
  
Dated

**Attachment A**  
**Legal Description to Resolution 2011-38**  
**Conveying Part of Cottage Lane and Part of Northview Road and the North 15 Feet of Lot 143 to the Lafayette Club**

That part of Cottage Lane, formerly an unnamed alley, and Northview Road, formerly Cottage Place, lying northeasterly of the northeasterly line of the southwesterly 8 feet of Lot 142, Minnetonka Beach, on Lake Minnetonka, and its southeasterly and northwesterly extensions, and lying southwesterly of the southwesterly line of Lot 144, Minnetonka Beach, on Lake Minnetonka and its southeasterly and northwesterly extensions.

North 15 feet of Lot 143, Minnetonka Beach, on Lake Minnetonka

**Attachment B**  
**Conveyance of Real Property from the Lafayette Club to the City of Minnetonka Beach**

The northeasterly 12 feet of Lot 141 together with the southwesterly 8 feet of Lot 142, Minnetonka Beach on Lake Minnetonka, according to the recorded plat thereof from the Lafayette County Club.

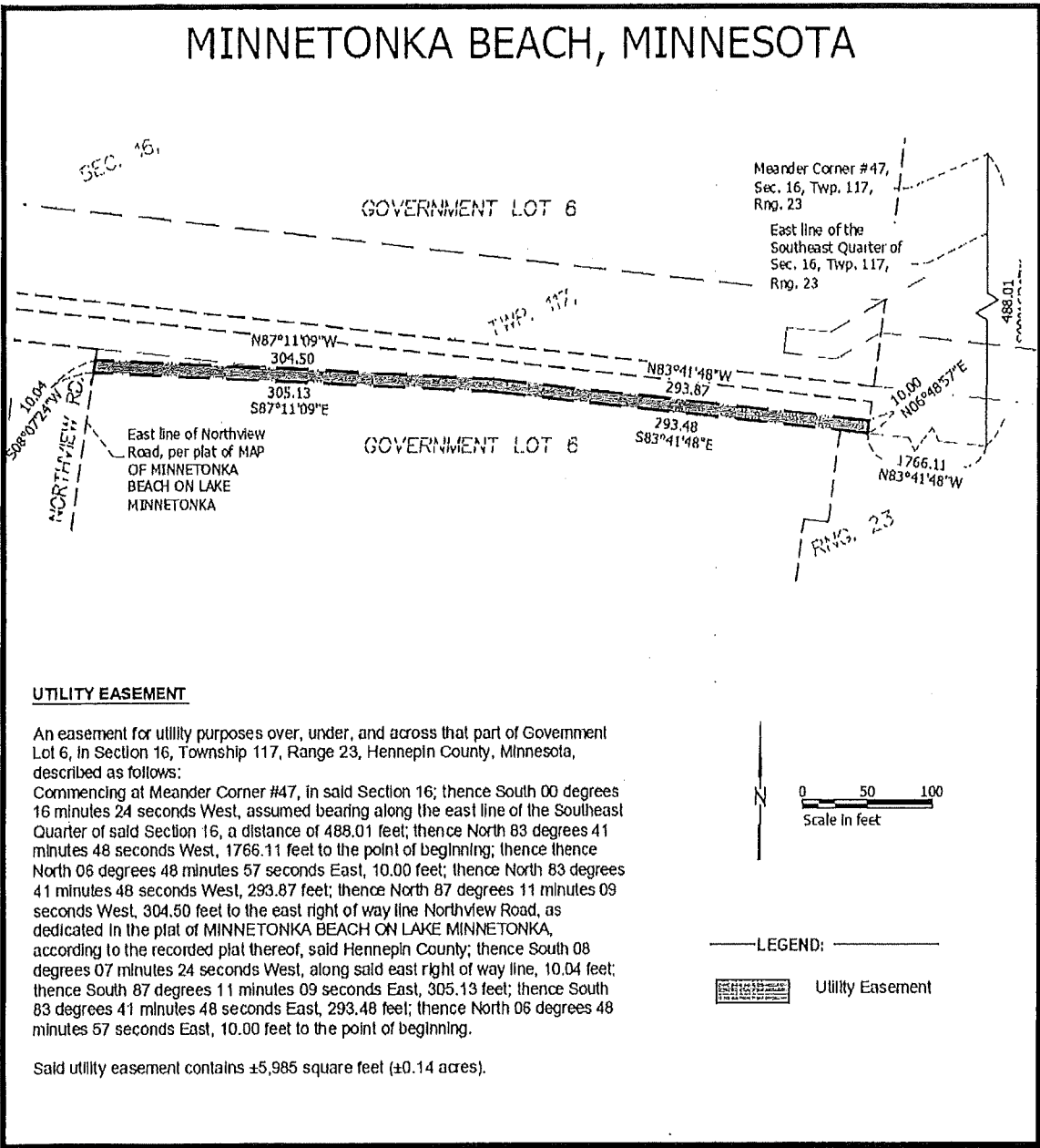
**Attachment C**  
**Legal Description of Construction and Maintenance Easement**


An easement for construction and maintenance purposes over, under, and across that part of Government Lot 6, in Section 16, Township 117, Range 23, Hennepin County, Minnetosta, described as follows:

Commencing at Meander Corner #47, in said Section 16; thence South 00 degrees 16 minutes 24 seconds West, assumed bearing along the east line of the Southeast Quarter of said Section 16, a distance of 488.01 feet; thence North 83 degrees 41 minutes 48 seconds West, 1766.11 feet to the point of beginning; thence North 06 degrees 48 minutes 57 seconds East, 15.00 feet; thence North 83 degrees 41 minutes 48 seconds West, 294.07 feet; thence North 87 degrees 11 minutes 09 seconds West, 304.19 feet to the east right of way line Northview Road, as dedicated in the plat of Minnetonka Beach on Lake Minnetonka, according to the recorded plat thereof, said Hennepin County; thence South 08 degrees 07 minutes 24 seconds West, along said east right of way line, 20.09 feet; thence South 87 degrees 11 minutes 09 seconds East, 305.44 feet; thence South 83 degrees 41 minutes 48 seconds East, 271.55 feet; thence North 07 degrees 01 minutes 21 seconds East, 5.00 feet; thence South 83 degrees 41 minutes 48 seconds East, 21.71 feet to the point of beginning.



**EXHIBIT B**  
**Depiction and Legal Description of Utility Easement Area**



FILE NAME	281100080V601.dwg	PROJ. NO.	281-10008-0	DRAWN	DJR	SURVEY
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. PRINT NAME: DANIEL J. ROEBER SIGNATURE: <i>Daniel J. Roeber</i> DATE: JUNE 1, 2011 LIC. NO. 43133				 <b>Bonestroo</b>		<b>St. Paul Office</b> 2335 West Highway 36 St. Paul, MN 55113 Phone: 651-636-4600 Fax: 651-636-1311 www.bonestroo.com

