

**DENMARK TOWNSHIP  
WASHINGTON COUNTY, MINNESOTA  
Resolution No. 2021-\_\_\_\_\_**

**RESOLUTION APPROVING A LOT LINE ADJUSTMENT FOR  
PROPERTY OWNED BY HELEN EGLAND AND RYGH FAMILY LIMITED  
PARTNERSHIP LOCATED AT 9490 ST. CROIX TRAIL SOUTH**

**WHEREAS**, Helen Eglund and Rygh Family Limited Partnership (“Applicants”) have applied for a lot line adjustment for the certain properties located within Denmark Township (“Town”);

**WHEREAS**, the Helen Eglund owns a property (the south parcel of PID 21.027.20.14.0003) containing approximately 4.5 acres, is located at 9490 St. Croix Trail South, and is legally described in the attached Exhibit A (“Eglund Parcel”);

**WHEREAS**, Rygh Family Limited Partnership owns a property (PID 21.027.20.42.0001) containing approximately 40.15 acres, is located west of the Eglund Parcel on St. Croix Trail South, and is legally described in the attached Exhibit B (“Rygh Parcel”);

**WHEREAS**, the Applicants desire to exchange portions of their respective properties with each other and have proposed a boundary adjustment agreement (“Boundary Adjustment Agreement”) subject to the approval of the lot line/boundary adjustment by the Town;

**WHEREAS**, in accordance with the Boundary Adjustment Agreement, Helen Eglund desires to transfer an approximately 1.5 acre portion of the Eglund Parcel, legally described in the attached Exhibit C (“Eglund Transfer Portion”), to the Rygh Parcel, and Rygh Family Limited Partnership desires to transfer an approximately 3.5 acre portion of the Rygh Parcel, legally described in the attached Exhibit D (“Rygh Transfer Portion), to the Eglund Parcel;

**WHEREAS**, as a result of the lot line adjustment, the Eglund Parcel will be expanded to Parcel 2, as shown in the attached Exhibit E, which is legally described in the attached Exhibit F (“Expanded Eglund Parcel”), and the Rygh Parcel will be reduced to Parcel 1, as shown in the attached Exhibit E, which is legally described in the attached Exhibit G (“Reduced Rygh Parcel”);

**WHEREAS**, the Town Board hereby finds and determines with respect to the requested lot line adjustment as follows:

- a. Both the Eglund Parcel and the Rygh Parcel are located within the Agricultural (A-2) Zoning District as designated by the Denmark Township Development Code (“Development Code”);
- b. Pursuant to Chapter Two, Part 2, Section 1.1 of the Development Code, the allowed density within the Agricultural (A-2) District is two (2) dwelling units per 40 acres, which is one (1) density unit per twenty (20) acres;

- c. The Egland Parcel has a total of one (1) possible density unit assigned to it. There is a total of two (2) possible density units assigned to the Rygh Parcel.
- d. As a result of this lot line adjustment, the Expanded Egland Parcel will retain the one (1) density unit assigned to it, which has been used, and the Reduced Rygh Parcel will retain the two (2) density units assigned to it, which have not been used;
- e. The minimum lot size in the Agriculture (A-2) District is 20 acres. As a result of this lot line adjustment, the Expanded Egland Parcel will be approximately 6.5 acres. However, the Town has allowed owners to utilize the flexibility offered by lot averaging in Chapter Two, Part 2 of the Development Code, provided the restrictions placed on density are not exceeded. Under Chapter Two, Part 3, Section 2, the minimum lot size using the lot averaging design is 2 acres and so the resulting 6.5 acres of the Expanded Egland Parcel is allowable; and
- f. Lot line adjustments are allowed under Chapter Three, Section 4.1 of the Development Code, provided the affected parcels are abutting, no new lots are created, it does not result in an undersized lot, and Applicants supply the required submittals, enter into a development agreement with the Town, and pays all of the costs the Town incurs related to processing and acting on the application; and

**WHEREAS**, the Town Board determines the proposed lot line adjustment is consistent with its Development Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves the proposed lot line adjustment to transfer the Egland Transfer Portion, as described in the attached Exhibit C, from the Egland Parcel to the Rygh Parcel, and to transfer the Rygh Transfer Portion, as described in the attached Exhibit D, from the Rygh Parcel to the Egland Parcel, which will result in the Expanded Egland Parcel as legally described in the attached Exhibit F and the Reduced Rygh Parcel as legally described in the attached Exhibit G, conditioned on the Applicants complying with all of the following:

1. No later than 60 days from the date of this Resolution, the Applicants must enter into a development agreement with the Town, which the Town will draft. Furthermore, the Applicants, their heirs, successors, and assigns, shall comply with the terms and conditions of the development agreement as well as all applicable laws, rules, and ordinances;
2. The Applicants shall be responsible for providing all information the Town Attorney may reasonably request to assist in preparing the development agreement;
3. The Applicants must combine the respective Egland Transfer Portion and Rygh Transfer Portion with the Expanded Egland Parcel and the Reduced Rygh Parcel into a single parcel on the same deed with a single property identification number so that the recording of the Expanded Egland Parcel after the lot line adjustment shows a

single tax parcel increased in size by the land being acquired as a result of the lot line adjustment and so that the recording of the Reduced Rygh Parcel after the lot line adjustment shows a single tax parcel decreased in size by the land being lost as a result of the lot line adjustment. The deeds shall be recorded in the office of the County Recorder within 120 days of the date of this Resolution and a copy of the recorded deed provided to the Town within seven days of recording.

4. A total of one (1) density unit is assigned to the Expanded Egland Parcel (Parcel 2), which has been used.
5. A total of two (2) density units are assigned to the Reduced Rygh Parcel. These density units have not been used.
6. The Applicants shall be responsible for reimbursing the Town for all costs incurred related to processing their application including, but not limited to, professional costs and recording costs.
7. The Applicants shall be responsible for developing, executing, and recording such transfer documents and deeds as may be required to properly transfer the property subject to the lot line adjustment. The Town will record the development agreement at the Applicants' expense.
8. The Applicants are responsible for obtaining any other approvals that may be required and for making such corrections to its descriptions and survey as may be required by Washington County for recording purposes.

**BE IT FURTHER RESOLVED**, this approval of the requested lot line adjustment shall be rendered null and void, and no transfer of property between the parcels shall be allowed, if the Applicants fail to provide the requested information, fail to enter into a development agreement in a form acceptable to the Town, fail to comply with the provisions of the development agreement, or fail to comply with the other terms and conditions of this Resolution; and

**BE IT FINALLY RESOLVED**, the Town Board Chairperson and the Town Clerk-Treasurer are hereby authorized to enter into the development agreement for this lot line adjustment on behalf of the Town once it is in a form acceptable to the Town Attorney.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

**BY THE TOWN BOARD**

\_\_\_\_\_  
Kathleen A. Higgins

Attest: \_\_\_\_\_  
Becky Herman, Clerk-Treasurer

**EXHIBIT A**  
Legal Description of Eglund Parcel

Existing Legal Description for the south parcel of PID 21.027.20.14.0003

That part of the Northeast Quarter of the Southeast Quarter of Section 21, Township 27 North, Range 20 West, Washington County, Minnesota, lying Northwesterly of County State Aid Highway 21, the centerline of which is described as follows: Beginning at a point on the North line of said Northeast Quarter distant 434.26 feet Easterly of the Northwest corner thereof; thence Southwesterly at an angle of 59°12'18" (measured from West to South) 552.84 feet; thence deflecting to the left on a tangential curve having a radius 1432.40 feet a distance of 688.75 feet; thence Southerly, tangent to said curve, 187.21 feet to the South line of said Northeast Quarter of said Southeast Quarter, subject to highway easement in Book 256 of Deeds, Page 231.

(Abstract Property)

Street Address: 9490 St. Croix Trail South, Hastings, MN 55033

**EXHIBIT B**  
Legal Description of Rygh Parcel

Existing Legal Description for PID 21.027.20.42.0001

The Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section Twenty-one (21), Township Twenty-seven (27) North, Range Twenty (20) West, Washington County, Minnesota.

(Abstract Property)

**EXHIBIT C**  
Legal Description of the Eglad Transfer Portion

That part lying south of the North 391.00 feet of the following described property:

That part of the Northeast Quarter of the Southeast Quarter of Section 21, Township 27 North, Range 20 West, Washington County, Minnesota, lying Northwesterly of County State Aid Highway 21, the centerline of which is described as follows: Beginning at a point on the North line of said Northeast Quarter distant 434.26 feet Easterly of the Northwest corner thereof; thence Southwesterly at an angle of 59°12'18" (measured from West to South) 552.84 feet; thence deflecting to the left on a tangential curve having a radius 1432.40 feet a distance of 688.75 feet; thence Southerly, tangent to said curve, 187.21 feet to the South line of said Northeast Quarter of said Southeast Quarter, subject to highway easement in Book 256 of Deeds, Page 231.

(Abstract)

together with all hereditaments and appurtenances belonging thereto.

**EXHIBIT D**  
Legal Description of the Rygh Transfer Portion

The North 391.00 feet of the East 391.00 feet of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4)

And

A perpetual restrictive covenant benefitting Grantee, her successors and assigns, and prohibiting the cutting, felling or removal of trees for purposes of development over and across the South 30 feet of the North 421 feet of the East 391 feet of said Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section Twenty-one (21), Township Twenty-seven (27) North, Range Twenty (20) West, Washington County, Minnesota.

(Abstract)

together with all hereditaments and appurtenances belonging thereto.

**EXHIBIT E**  
Survey Map of the Parcels

(attached hereto)



**EXHIBIT F**  
Legal Description of Expanded Eglan Parcel  
(Parcel 2)

Legal Description for expanded south parcel of PID 21.027.20.14.0003

The North 391.00 feet of the following described property:

That part of the Northeast Quarter of the Southeast Quarter of Section 21, Township 27 North, Range 20 West, Washington County, Minnesota, lying Northwesterly of County State Aid Highway 21, the centerline of which is described as follows: Beginning at a point on the North line of said Northeast Quarter distant 434.26 feet Easterly of the Northwest corner thereof; thence Southwesterly at an angle of 59°12'18" (measured from West to South) 552.84 feet; thence deflecting to the left on a tangential curve having a radius 1432.40 feet a distance of 688.75 feet; thence Southerly, tangent to said curve, 187.21 feet to the South line of said Northeast Quarter of said Southeast Quarter, subject to highway easement in Book 256 of Deeds, Page 231.

and

The North 391.00 feet of the East 391.00 feet of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4).

and

A perpetual Tree Conservation Easement over and across the South 30 feet of the West 391.00 feet thereof, Section Twenty-one (21), Township Twenty-seven (27) North, Range Twenty (20) West, Washington County, Minnesota.

(Abstract Property)

**EXHIBIT G**  
Legal Description of the Reduced Rygh Parcel  
(Parcel 1)

Legal Description of reduced PID 21.027.20.42.0001

The Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section Twenty-one (21), Township Twenty-seven (27) North, Range Twenty (20) West, except the North 391.00 feet of the East 391.00 feet thereof, and subject to a perpetual Tree Conservation Easement over and across the South 30 feet of the North 421 feet of the East 391 feet of said Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section Twenty-one (21), Township Twenty-seven (27) North, Range Twenty (20) West, Washington County, Minnesota.

and

That part lying south of the North 391.00 feet of the following described property:  
That part of the Northeast Quarter of the Southeast Quarter of Section 21, Township 27 North, Range 20 West, Washington County, Minnesota, lying Northwesterly of County State Aid Highway 21, the centerline of which is described as follows: Beginning at a point on the North line of said Northeast Quarter distant 434.26 feet Easterly of the Northwest corner thereof; thence Southwesterly at an angle of 59°12'18" (measured from West to South) 552.84 feet; thence deflecting to the left on a tangential curve having a radius 1432.40 feet a distance of 688.75 feet; thence Southerly, tangent to said curve, 187.21 feet to the South line of said Northeast Quarter of said Southeast Quarter, subject to highway easement in Book 256 of Deeds, Page 231.

(Abstract Property)