

TO: MAYOR AND CITY COUNCIL

FROM: Neil Jensen, City Administrator

SUBJECT: Resolution 2684, Approving Administrative Subdivision of Parcel #52-500-0030

MEETING DATE: June 20, 2023

BACKGROUND

In order to close on the land purchase of the Malloy lot the city needs to split the lot. This piece of land is a portion of the lot that Malloy's own and extends out into 3rd street. It will house the lift station to transfer wastewater under the river. The City Council approved a Purchase Agreement on April 18th to acquire the land for the project.

STAFF RECOMMENDATION

Please approve Resolution 2684, Approving Administrative Subdivision of Parcel #52-500-0030.

REQUESTED COUNCIL ACTION

Please make a motion to approve Resolution 2684, Approving Administrative Subdivision of Parcel #52-500-0030.

ArcGIS WebMap



June 6, 2023

Goodhue County Roads

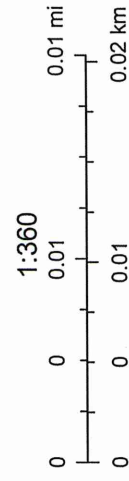
House Number

Full Name

CEM; ; OCTY; OCRLN; CTRLN

PIN

Parcels



**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

RESOLUTION NUMBER 2684

**RESOLUTION APPROVING ADMINISTRATIVE SUBDIVISION OF
PARCEL NUMBER 52.500.0030**

WHEREAS, Richard Malloy and Paige Malloy (collective, the “**Owner**”) own real property in the City of Cannon Falls (the “**City**”) identified as Parcel Number 52.500.0030 (the “**Property**”);

WHEREAS, the City is planning the 2023 Reconstruction Project (the “**Project**”), which will include public improvements impacting the Property;

WHEREAS, on April 18, 2023, the City and Owner entered into a Real Estate Purchase Agreement (the “**Agreement**”) pursuant to which the Owner agreed to sell to the City, and the City agreed to acquire from the Owner for purposes of the Project, the portion of the Property legally described on the attached **Exhibit A** (“**Parcel A**”) on the terms and conditions stated in the Agreement;

WHEREAS, to facilitate the sale under the Agreement, Parcel A must be subdivided from the Property, resulting in a residual parcel legally described on the attached **Exhibit B** (“**Parcel B**”);

WHEREAS, an administrative subdivision of the Property resulting in Parcel A and Parcel B is consistent with City Code § 151.045, *et. seq.*;

WHEREAS, City staff reviewed and recommends approval of the administrative subdivision of the Property;

WHEREAS, a public hearing regarding the administrative subdivision of the Property was held by the City Council on the 20th day of June, 2023, at which hearing all persons interested to be heard thereon were given an opportunity to be heard;

WHEREAS, administratively subdividing the Property into Parcel A and Parcel B serves a public purpose and is in the best interest of the public so that the City may acquire Parcel A for purposes of the Project.

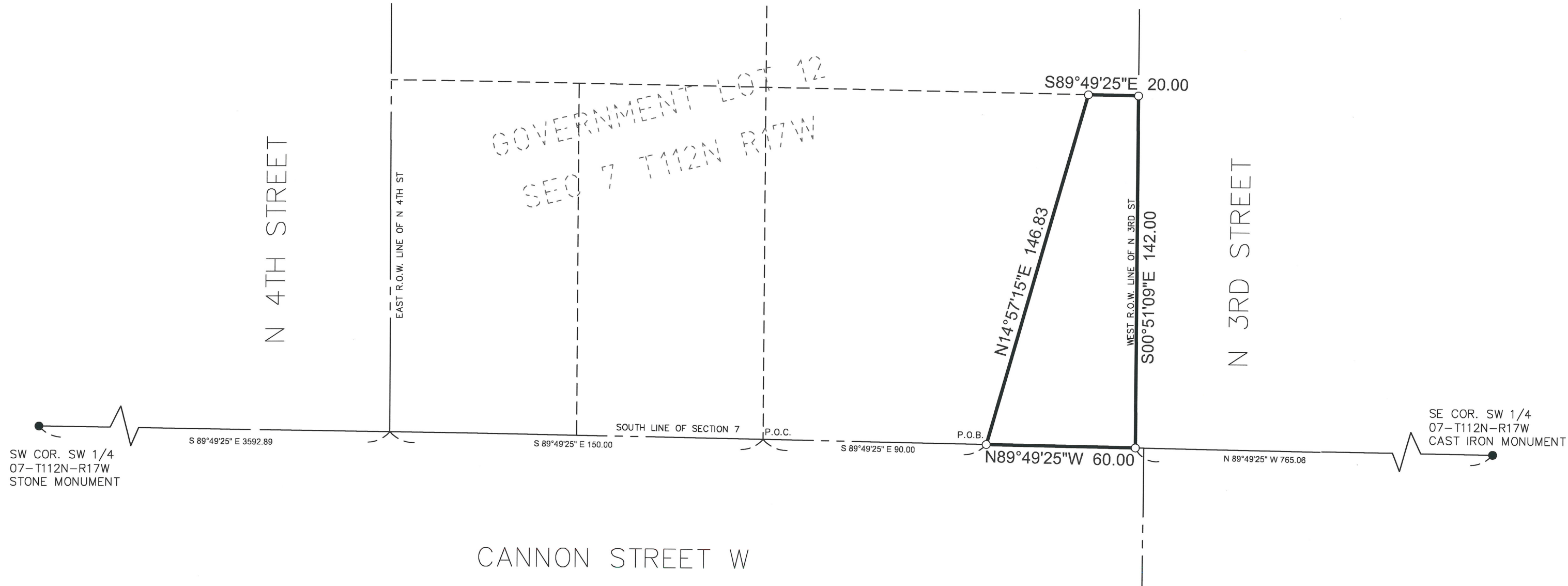
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls, Minnesota that the Property is hereby subdivided into Parcel A and Parcel B, which subdivision shall not become effective until the deed and accompanying survey for Parcel A are recorded in the Office of the Goodhue County Recorder and/or the Goodhue County Registrar of Titles.

ADOPTED by the City Council this 20th day of June, 2023.

Matt Montgomery, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator

CERTIFICATE OF SURVEY



LEGEND

- - DENOTES FOUND 5/8" I.D. PIPE UNLESS OTHERWISE NOTED
- - DENOTES SET 1/2" DIAMETER IRON PIPE WITH CAP #44930

- EXISTING LOT LINES
- PROPERTY BOUNDARY
- - - - ROW LINE



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Timothy A. Hruska
TIMOTHY A. HRUSKA, LIC. NO. 44930

4/7/23
DATE

BEARING SYSTEM USED:
GOODHUE COUNTY COORDINATE
SYSTEM NAD 83, ADJUSTMENT-2011

PARCEL DESCRIPTION

That part of Government Lot 12 in Section 7, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows:

Commencing 150.00 feet east of the intersection of the east right-of-way line of North 4th Street in the City of Cannon Falls on the south line of said Section 7; thence South 89 degrees 49 minutes 25 seconds East, 90.00 feet to the Point of Beginning; thence North 14 degrees 57 minutes 15 seconds East, 146.83 feet; thence South 89 degrees 49 minutes 25 seconds East, 20.00 feet to the west right-of-way line of North 3rd Street; thence South 00 degrees 51 minutes 09 seconds East, along said west right-of-way line, 142.00 feet to a point on said south line; thence North 89 degrees 49 minutes 25 seconds West, along said south line, 60.00 feet to the Point of Beginning.

Containing 0.14 acres, more or less and subject to any easements and restrictions of record.

SCALE:	1" = 40'
DRAWN BY:	EMS
DATE:	4/5/23
PROJECT NO.	9574
CADD NO.:	9574_CERTIFICATE OF SURVEY

FOR: CANNON FALLS
GOVERNMENT LOT 12
SEC. 7 T112N R17W
GOODHUE COUNTY, MINNESOTA



Exhibit B

Parcel Description

Part of Lot 12 of Section 7-112-17, and described by commencing at a point 150 feet W of the intersection of the W line of Third Street in the City of Cannon Falls with south line of said Government Lot 12 running thence N 142 ft, thence W 75 ft, thence S 142 ft, thence E 75 ft to point of beginning.

AND

Part of Government Lot 12 in 7-112-17 described as follows: Beginning 150 feet east of the intersection of the East line of Fourth Street in the City of Cannon Falls with the S line of said Section 7 – running thence N 142 feet - thence E 150 feet – thence S 142 feet – thence W 150 feet to the point of beginning. Subject to mineral rights reserved in the State of Minnesota.

AND

Lots 13 and 14, Block 42, St. Clair's Terre Haute Addition to the City of Cannon Falls, as per the recorded plat thereof, EXCEPT the west 10 feet of Lot 13, Block 42, St. Clair's Terre Haute Addition to the City of Cannon Falls as per the recorded plat thereof;

EXCEPTING

That part of Government Lot 12 in Section 7, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows:

Commencing 150.00 feet east of the intersection of the east right-of-way line of North 4th Street in the City of Cannon Falls on the south line of said Section 7; thence South 89 degrees 49 minutes 25 seconds East, 90.00 feet to the Point of Beginning; thence North 14 degrees 57 minutes 15 seconds East, 146.83 feet; thence South 89 degrees 49 minutes 25 seconds East, 20.00 feet to the west right-of-way line of North 3rd Street; thence South 00 degrees 51 minutes 09 seconds East, along said west right-of-way line, 142.00 feet to a point on said south line; thence North 89 degrees 49 minutes 25 seconds West, along said south line, 60.00 feet to the Point of Beginning.

Containing 0.14 acres, more or less and subject to any easements and restrictions of record.

Subject to the Contract for Deed interest of Joseph H. Malloy and Kelly L. Malloy, husband and wife as joint tenants dated July 1, 1985, and recorded July 2, 1985, as Document No. 299082 in the office of the Goodhue County Recorder.