

TO: Cannon Falls City Council
FROM: Zach Logelin, License and Permit Technician
SUBJECT: Right of Way Vacation—Endres Cannon Falls LLC
DATE: December 5, 2023

BACKGROUND:

In January of 2020, the City of Cannon Falls vacated some public streets and easements located in the old Sandstone Ridge Development. Further vacations are required.

A public hearing was scheduled on December 5th to consider a vacation for the Timber Ridge Development. The right of way and utility easement vacation will allow for the replatting of this property to proceed with the Timber Ridge subdivision.

The Planning Commission recommended approval at their December 4th meeting.

The following exhibits are enclosed to further describe the proposal:

1. Notice of public hearing
2. Vacation application from Endres Cannon Falls LLC
3. Overview map
4. Exhibit A and B, Site plan/legal description
5. Resolution 2721

REQUESTED COUNCIL ACTION:

Please consider and make a motion to approve Resolution 2721, vacating utility easements and streets located in the old Sandstone Ridge development.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Cannon Falls, Minnesota, will meet at 5:00 p.m. in the City Council Chambers of City Hall, on December 4, 2023, to hold a Public Hearing to consider a right of way and easement vacation of Sandstone Ridge, legally described as Outlot B and the southwest corner of Outlot B, said SANDSTONE RIDGE; thence on an assumed bearing of North 12 degrees 28 minutes 02 seconds West, along a westerly line of said Outlot B, a distance of 86.99 feet to a point of curvature on said westerly line, also being the point of beginning of the line to be described; thence South 77 degrees 31 minutes 58 seconds West a distance of 60.00 feet to the southeast corner of Lot 1, Block 5, said SANDSTONE RIDGE, and said described line there terminating.

Vacation information is available for public inspection at City Hall, 918 River Road, Cannon Falls, MN 55009.

Anyone interested in offering comments regarding the proposal will be given an opportunity to do so at this hearing.



DEVELOPMENT APPLICATION

918 River Road, Cannon Falls, MN 55009 | 507-263-9308

SUBJECT TO STAFF REVIEW

Street Location of Property: Timber Ridge Development

Legal Description of Property: See Attached

Owner of Record: Name: Endres Canon Falls LLC (Leon Endres)

Daytime Phone: (612) 598-9993

Address: 1505 River Shore Dr

Hastings, MN 55033

E-Mail Address: leon@endresllc.com

Applicant (if other
than owner)

Name: same

Notary Stamp

Daytime Phone: _____

Address: _____

E-Mail Address: _____

Nature of Legal or Equitable Interest of Applicant (Documentation must be attached :)

- | | | | | |
|----------|-------------------------------------|------------------------|--------------------------|-----------------------------------|
| Request: | <input type="checkbox"/> | Conditional Use Permit | <input type="checkbox"/> | Rezoning/Ordinance Text Amendment |
| | <input type="checkbox"/> | Subdivision | <input type="checkbox"/> | Variance |
| | <input type="checkbox"/> | Concept | <input type="checkbox"/> | Interim Use Permit |
| | <input type="checkbox"/> | Preliminary Plat | <input type="checkbox"/> | Amendment |
| | <input type="checkbox"/> | Final Plat | <input type="checkbox"/> | CUP/PUD |
| | <input type="checkbox"/> | Administrative | <input type="checkbox"/> | Site Plan Review |
| | <input type="checkbox"/> | Administrative Permit | <input type="checkbox"/> | Special Home Occupation |
| | <input checked="" type="checkbox"/> | Vacation | <input type="checkbox"/> | Annexation Petition |
| | <input type="checkbox"/> | Comp Plan Amendment | <input type="checkbox"/> | Appeal |
| | <input type="checkbox"/> | Other | | |

Note: Each requested approval may require a separate fee and/or escrow amount, even where they apply to the same project.

Date Application Received: 8/24/23

Date Submission Deemed to be Complete: 8/24/23

Give detailed description of project and reason for conditional use or variance, if applicable:

In January of 2020, the City of Cannon Falls vacated certain
public streets and easements within the old Sandstone Ridge
Addition and Sandstone Ridge Second Addition. The replatting
of this property for the Timber Ridge development, additional
vacations are required. Public easement within Outlot B of
Sandstone Ridge Addition and portion of Sandstone Rd. (See Attacheded)

SUPPORTING DOCUMENTATION: Applicant must submit with the application all documentation required by the Zoning or Subdivision Ordinance relating to the requested approval. Applicant will be advised of the completeness. Only when it has been determined that an application is complete will it be placed on a Planning Commission agenda for consideration. Applications that do not include the proper plans and/or documentation may be delayed from formal review. **FAILURE ON THE PART OF THE APPLICANT TO SUPPLY ALL NECESSARY SUPPORTIVE INFORMATION MAY BE GROUNDS FOR DENIAL OF THE REQUEST.**

APPLICANT RESPONSIBILITY FOR PAYMENT OF ALL CITY FEES AND COSTS IN PROCESSING APPLICATION: Applicant acknowledges that she/he understands that before this request can be considered and/or approved, all fees, including the basic application fee and any escrow processing deposits must be paid to the city and that, if additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional escrow amounts and payment. These fees include all actual costs including, but not limited to, planning, engineering, public notification and legal costs. All processing of an application will be halted if payments are not made within 30 days of receipt of a monthly statement from the City, in the event any escrow account established is insufficient to cover the costs.

SIGNED:


Property Owner

Date: 8/22/23

Applicant (if not the Property Owner)

Date: _____

FOR CITY USE ONLY

Date Application Filed: _____

Basic Fees: _____

Received By: *[Signature]*

Escrow Deposit: _____

Evidence of Ownership Submitted: ☐ Yes

☐ No

☐ Required

Certified Lot Survey: ☐ Yes

☐ No

☐ Required

Legal Description Adequate: ☐ Yes

☐ No

☐ Required

Date of Planning Commission Meeting: _____

Recommendation of Planning Commission on: _____ ☐ Approve ☐ Deny

Recommendation of City Council on: _____ ☐ Approve ☐ Deny

Subject to following conditions: _____

Attachment A1

**CITY OF CANNON FALLS
ZONING AND SUBDIVISION FEE SCHEDULE
2023**

| | Base Fee/Recording | Escrow Deposit* | Total |
|---|-------------------------------------|--------------------|-----------------------------|
| Zoning: | | | |
| Comprehensive Plan Amendment | \$450 | \$0 | \$450 |
| Variance | \$450 | \$0 | \$450 |
| Appeal | \$450 | \$0 | \$450 |
| Rezoning and Ordinance Text Amendment | \$450 | \$0 | \$450 |
| Amendment | \$450 | \$0 | \$450 |
| Conditional Use Permit | \$450 | \$0 | \$450 |
| Planned Unit Development / Conditional Use Permit | \$450 | \$0 | \$450 |
| Site Plan Review | \$0 | \$0 | \$0 |
| Interim Use Permit | \$450 | \$0 | \$450 |
| Administrative Permit | \$150 | \$0 | \$150 |
| Home Occupation | \$150 | \$0 | \$150 |
| Annexation Petition | \$450 | \$0 | \$450 |
| Vacation | \$450 | \$0 | \$450 |
| Renewal Permit | \$150 | \$0 | \$150 |
| Other | \$250 | \$0 | \$250 |
| Subdivision: | | | |
| Administrative Subdivision | \$250 | \$0 | \$250 |
| Concept Plan | \$250 | \$0 | \$250 |
| Preliminary Plat | \$500 | \$2,500 | \$3,000 |
| Final Plat | \$500 | \$500 | \$1,000 |
| Park Dedication: | | | |
| All Residential Units | Fees set by City Council Resolution | NA | 10% land \$1,390.00/unit |
| Commercial | Fees set by City Council Resolution | NA | 10% land \$2,000.00/acre |
| Industrial | Fees set by City Council Resolution | NA | 10% land \$2,000.00/acre |

**Whether or not an Escrow Deposit is required, if a consultant is engaged by the City to review the application and a cost is incurred for services rendered the applicant is responsible for payment of any and all professional service expenses. The final determination by the City Council will not be recorded unless and until any and all fees due have been paid by the applicant.*

TIMBER RIDGE - LEGAL DESCRIPTION

That part of the Northeast Quarter of Section 19, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows: Commencing at the Southwest corner of said Northeast Quarter of Section 19; thence on an assumed bearing of North 00 degrees 00 minutes 17 seconds West, along the West line of said Northeast Quarter of Section 19, a distance of 1356.40 feet to the point of beginning of the land to be described; thence South 89 degrees 30 minutes 55 seconds East, a distance of 284.39 feet; thence South 00 degrees 00 minutes 17 seconds East, a distance of 612.69 feet to the North line of the South 45.00 acres of said Northeast Quarter of Section 19; thence South 89 degrees 30 minutes 55 seconds East, along said North line of the South 45.00 acres of the Northeast Quarter of Section 19, a distance of 2351.57 feet to the East line of the Northeast Quarter of said Section 19; thence Northerly, along said East line, a distance of 875 feet, more or less, to a point distant 357.40 feet Southerly of the intersection of the Southwesterly right of way line of County Road Number 25 with the East line of the Northeast Quarter of said Section 19; thence Westerly deflecting to the left 90 degrees 00 minutes 00 seconds a distance of 684.00 feet; thence Southerly deflecting to the left 90 degrees 00 minutes 00 seconds parallel with the East line of the Northeast Quarter of said Section 19, a distance of 364.60 feet, more or less, to a point distant 1225.00 feet Southerly of the intersection of the Southwesterly right of way line of County Road Number 25 with the West line of the East 684.00 feet of said Northeast Quarter of said Section 19; thence Westerly deflecting to the right 90 degrees 00 minutes 00 seconds, a distance of 200.00 feet; thence Northerly deflecting to the right 90 degrees 00 minutes 00 seconds and parallel with the East line of the Northeast Quarter of said Section 19, to the Southerly right of way line of County Road Number 25; thence Southeasterly, along the Southwesterly right of way line of County Road Number 25 to the East line of the Northeast Quarter of said Section 19; thence Northerly, along said East line, to the centerline of County Road Number 25; thence Northwesterly, along said centerline, a distance of 850 feet, more or less, to the centerline of the Township Road; thence Northerly, along said centerline of the Township Road, to the North line of the Northeast Quarter of said Section 19; thence Westerly, along said North line, to the Northwest corner of said Northeast Quarter of Section 19; thence South 00 degrees 00 minutes 17 seconds East, along the West line of the Northeast Quarter of said Section 19, to the point of beginning,

EXCEPT that part of the Northeast Quarter of Section 19, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows: Commencing at the Southwest corner of said Northeast Quarter of Section 19; thence on an assumed bearing of North 00 degrees 24 minutes 17 seconds West, along the West line of said Northeast Quarter of Section 19, a distance of 1356.40 feet to the point of beginning of the land to be described; thence South 89 degrees 54 minutes 55 seconds East, a distance of 759.05 feet; thence North 28 degrees 17 minutes 49 seconds East, a distance of 302.83 feet; thence North 39 degrees 02 minutes 50 seconds East, a distance of 75.00 feet; thence North 33 degrees 31 minutes 14 seconds East, a distance of 263.36 feet; thence North 63 degrees 47 minutes 47 seconds East, a distance of

212.64 feet; thence North 72 degrees 49 minutes 35 seconds East, a distance of 162.61 feet; thence North 66 degrees 55 minutes 35 seconds East, a distance of 60.00 feet; thence North 67 degrees 29 minutes 19 seconds East a distance of 270.89 feet to the West line of the East

884.00 feet of said Northeast Quarter; thence Northerly parallel with the East line of the Northeast Quarter of said Section 19, to the Southerly right of way line of County Road Number 25; thence Southeasterly, along the Southwesterly right of way line of County Road Number 25 to the East line of Northeast Quarter of said Section 19; thence Northerly, along said East line, to the centerline of County Road Number 25; thence Northwesterly, along said centerline, a distance of 898.57 feet, more or less, to the centerline of the Township Road; thence Northerly, along said centerline of the Township Road, to the North line of the Northeast Quarter of said Section 19; thence Westerly, along said North line, to the Northwest corner of said Northeast Quarter of Section 19; thence South 00 degrees 24 minutes 17 seconds East, along the West line of the Northeast Quarter of said Section 19, to the point of beginning, EXCEPT that part of the East Half (E 1/2) of the Northeast Quarter of Section 19, Township 112 North, Range 17 West, Goodhue County, shown as Parcel 2, on the plat designated as Goodhue County Right-of-Way Plat No. 203 on file and of record in the office of the County Recorder in and for Goodhue County, Minnesota.

Together with

Lots 1, 2, 3, 4, 5, 6, 7, 8, Block 1, Lots 1, 2, 3, 4, Block 2, Outlot B, and Outlot C, all in SANDSTONE RIDGE,

according to the recorded plat thereof, Goodhue County, Minnesota.

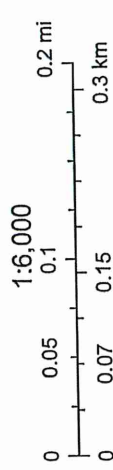
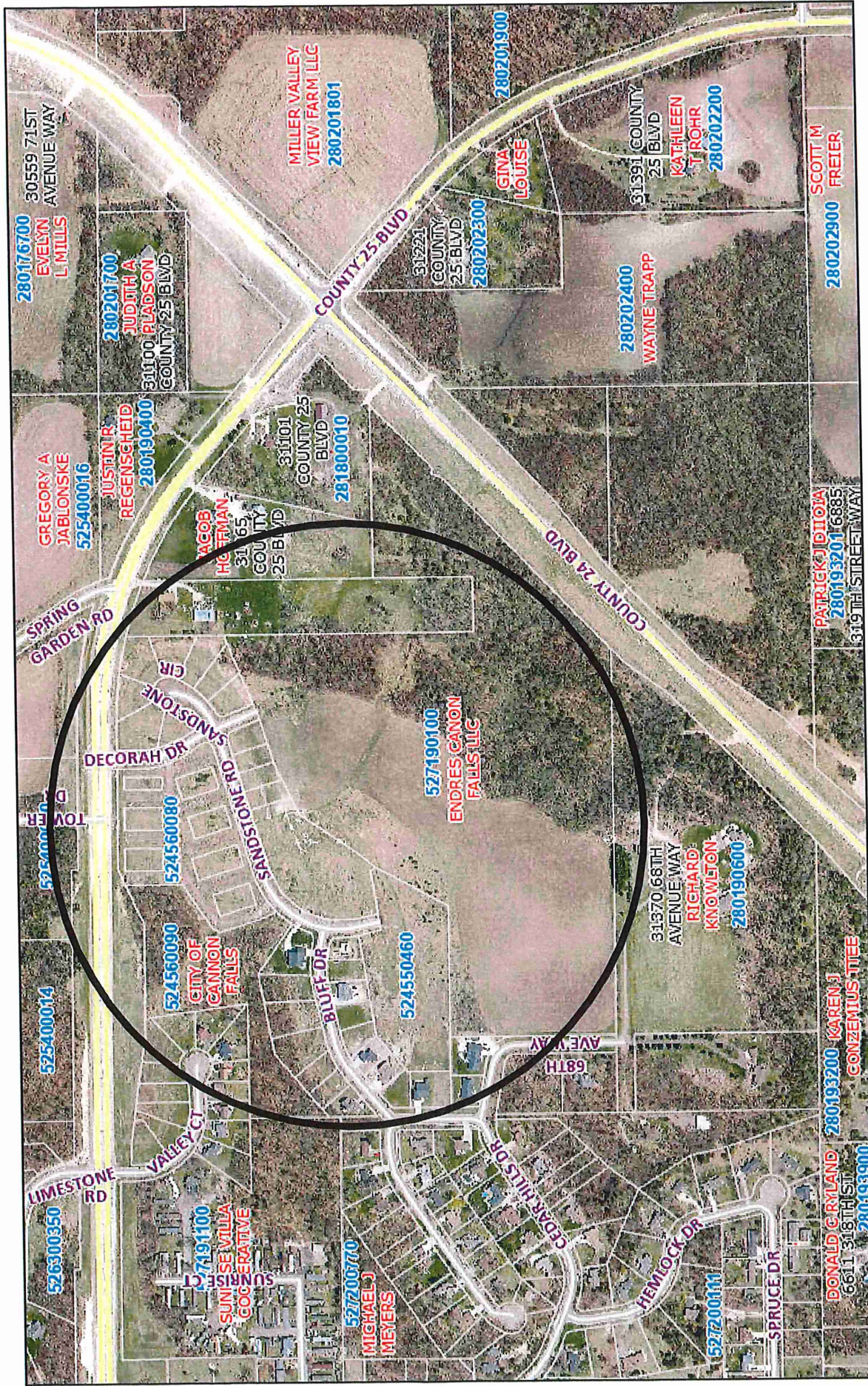
Together with

Lots 1, 2, 3, 4, 5, 6, 7, 8, Block 1, SANDSTONE RIDGE SECOND ADDITION, according to the recorded plat thereof, Goodhue County, Minnesota.

Together with

All the vacated right of ways of Sandstone Road, Sandstone Circle, and Decorah Drive as dedicated on the plat of SANDSTONE RIDGE, according to the recorded plat thereof, Goodhue County, Minnesota.

Vacation of Right of Way/Easements



November 29, 2023

Goodhue County Roads

Full Address

Full Name

CEM; ; OCTY; OCRLN; CTRLN

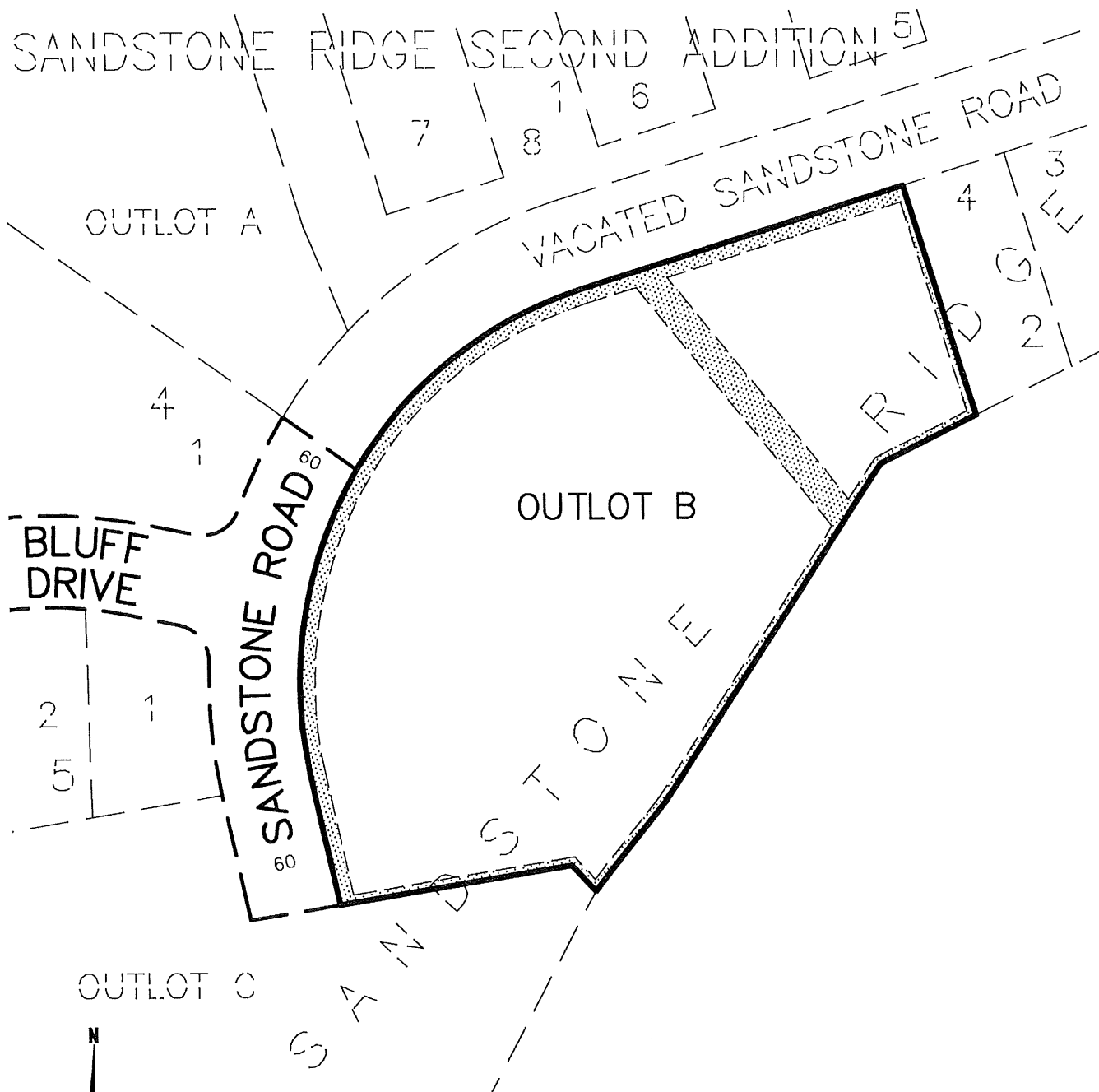
PIN

Parcels

CSAHP; CRP

SKETCH & DESCRIPTION

FOR: Endres Canon Falls LLC



Scale: 1"=100'

EASEMENT
VACATION

SKETCH & DESCRIPTION

FOR: Endres Canon Falls LLC

RIGHT OF WAY VACATION

That part of Sandstone Road, as dedicated in the recorded plat of SANDSTONE RIDGE, Goodhue County, Minnesota, and now to be vacated, which lie southerly of the following described line:

Commencing at the southwest corner of Outlot B, said SANDSTONE RIDGE; thence on an assumed bearing of North 12 degrees 28 minutes 02 seconds West, along a westerly line of said Outlot B, a distance of 86.99 feet to a point of curvature on said westerly line, also being the point of beginning of the line to be described; thence South 77 degrees 31 minutes 58 seconds West a distance of 60.00 feet to the southeast corner of Lot 1, Block 5, said SANDSTONE RIDGE, and said described line there terminating.

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 Professional Land Surveyor under the laws of the State of Minnesota.

Signed this 1st day of August, 2023
For: James R. Hill, Inc.

By:

Marcus F. Hampton, Land Surveyor, MN License No. 47481

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|-----------------|
| DRAWN BY |
| PLM |
| DATE |
| 8/1/2023 |
| REVISIONS |
| A-11/1/23-legal |
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| CAD FILE |
| 24059vac-2.dwg |
| PROJECT NO. |
| 24059-00 |
| PAGE 1 OF 2 |

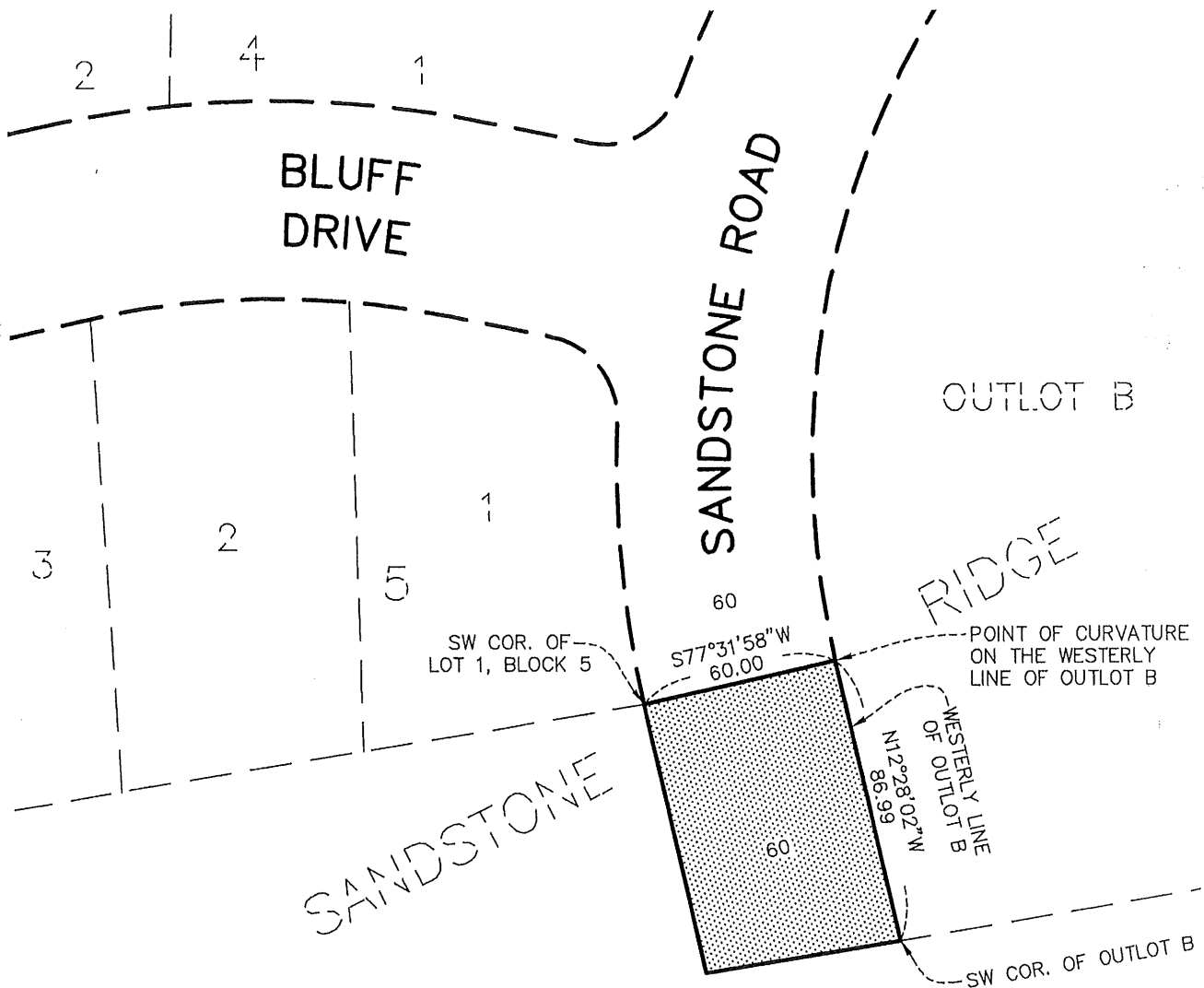


James R. Hill, Inc.

PLANNERS / ENGINEERS / SURVEYORS
2999 WEST C.R. 42, SUITE 100, BURNSVILLE, MN 55306
PHONE: 952.890.6044 www.jrhinc.com

SKETCH & DESCRIPTION

FOR: Endres Canon Falls LLC



Scale: 1"=50'

 RIGHT OF WAY VACATION

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

RESOLUTION NUMBER 2721

**APPROVE RIGHT OF WAY AND UTILITY VACATION OF OLD SANDSTONE
RIDGE DEVELOPMENT**

WHEREAS, Leon Endres has made an application for a Vacation to vacate streets in the Sandstone Ridge Development;

WHEREAS, the Planning Commission conducted a hearing on December 4, 2023 to accept testimony relating to the application; and

WHEREAS, the Cannon Falls City Council finds the granting of the Vacation is reasonable, in harmony with the general purposes and intent of the Zoning Ordinance, and in conformance with the City of Cannon Falls Comprehensive Plan.

NOW THEREFORE, LET IT BE RESOLVED BY THE CITY OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA, that the City Council grants approval of the street and easement vacation, legally described as exhibit A and B.

ADOPTED by the City Council of Cannon Falls this 5th day of December, 2023.

Matt Montgomery, Mayor

ATTEST: _____

Neil L. Jensen
City Administrator