

**RESOLUTION NO. 091718-05  
CITY OF WAITE PARK**

**A RESOLUTION APPROVING  
PRELIMINARY AND FINAL PLAT  
FOR YRC ADDITION**

**WHEREAS**, property owner Anderson Trucking Service, Inc., (hereinafter the “owner”) together with Peters Real Estate & Development (hereinafter the “developer”) have submitted a request to the City of Waite Park to approve a preliminary and final plat for property known as YRC Addition, a single lot, single-block subdivision on the Anderson Trucking property located on Old Highway Road North in the City of Waite Park, County of Stearns, State of Minnesota, legally described as follows:

See legal description and survey map attached hereto and made a part hereof as  
Exhibit A and Exhibit A1 respectively

(hereinafter the “subject property”); and

**WHEREAS**, the subject property is vacant land and is a 5.25-acre portion of an 11.18-acre tract of land (PID 98.61601.0144) and is zoned I-1 Light Industrial; and

**WHEREAS**, the owner intends to reserve for future development opportunities, if any, the remaining 5.93-acre portion of said 11.18-acre tract of land; and

**WHEREAS**, the owner and developer have submitted the preliminary and final plat for the proposed YRC Addition for development of a trucking/freight terminal on the subject property which is a permitted use within the I-1 Light industrial District; and

**WHEREAS**, the owner and developer have been coordinating with City staff on their preliminary development plans and no variances are required for their plans at this time; and

**WHEREAS**, the Waite Park Planning Commission of the City of Waite Park held a public meeting on September 11, 2018, to hear public testimony on the preliminary and final plat of YRC Addition and upon review of the application and supplementary information, recommended approval of such plat as presented with conditions as outlined in the meeting minutes of September 11, 2018, and made findings of fact to support the recommendation which are attached hereto as Exhibit B; and

**WHEREAS**, the Waite Park City Council of the City of Waite Park in a public meeting held on September 17, 2018, reviewed and considered the application and supplementary information, staff review documents and the Planning Commission recommendation, and agrees with the findings and recommendation of the Planning Commission and determined that the plat of said property is advisable and in the best interest of the City of Waite Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAITE PARK, MINNESOTA, AS FOLLOWS:

1. That the Findings of Fact in Exhibit B relating to the requested preliminary and final plat are hereby adopted by the City Council.

BE IT FURTHER RESOLVED that the plat of YRC Addition is hereby approved subject to the following conditions:

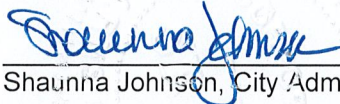
- (1) Development upon the property may be subject to a Development Agreement with the City, if deemed necessary.
- (2) Property is subject to requirement for payment-in-lieu of Parkland Dedication, as recommended by Park Board and established by City Council. Any required parkland dedication fees must be paid prior to affixing of City signatures upon the plat.

and the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Adopted by the City Council of the City of Waite Park, this 17<sup>th</sup> day of September 2018.

  
Richard E. Miller, Mayor


ATTEST:

  
Shaunna Johnson, City Administrator

ACTION ON THIS RESOLUTION:

Motion for adoption: Member Theisen  
Seconded by: Member Schulz  
Voted in favor of: Mayor Miller, Members Linquist, Schneider, Schulz, Theisen  
Voted against: None  
Abstained: None  
Absent: None  
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Waite Park City Council at a duly authorized meeting held on September 17, 2018.

  
Shaunna Johnson  
City Administrator

## EXHIBIT A

That part of Outlot B, Lot 8, Lot 15 and that part of the vacated roadway, all being in the plat of DELANO ACRES, according to the recorded plat thereof, and that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 26, and that part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 25, all being in Township 124 North, Range 29 West, Stearns County, Minnesota, described as follows:

Beginning at the easterly corner of Bel Clare Drive, as dedicated in the recorded plat of ADM GRAIN and the northwesterly right-of-way line of Old Minnesota State Trunk Highway No. 23;

thence North 42 degrees 12 minutes 51 seconds West, record plat bearing along the northeasterly line of said Bel Clare Drive, 561.66 feet to the southeasterly right-of-way line of Burlington Northern Railroad;

thence North 57 degrees 58 minutes 06 seconds East, along said southeasterly right-of-way line, 444.80 feet;

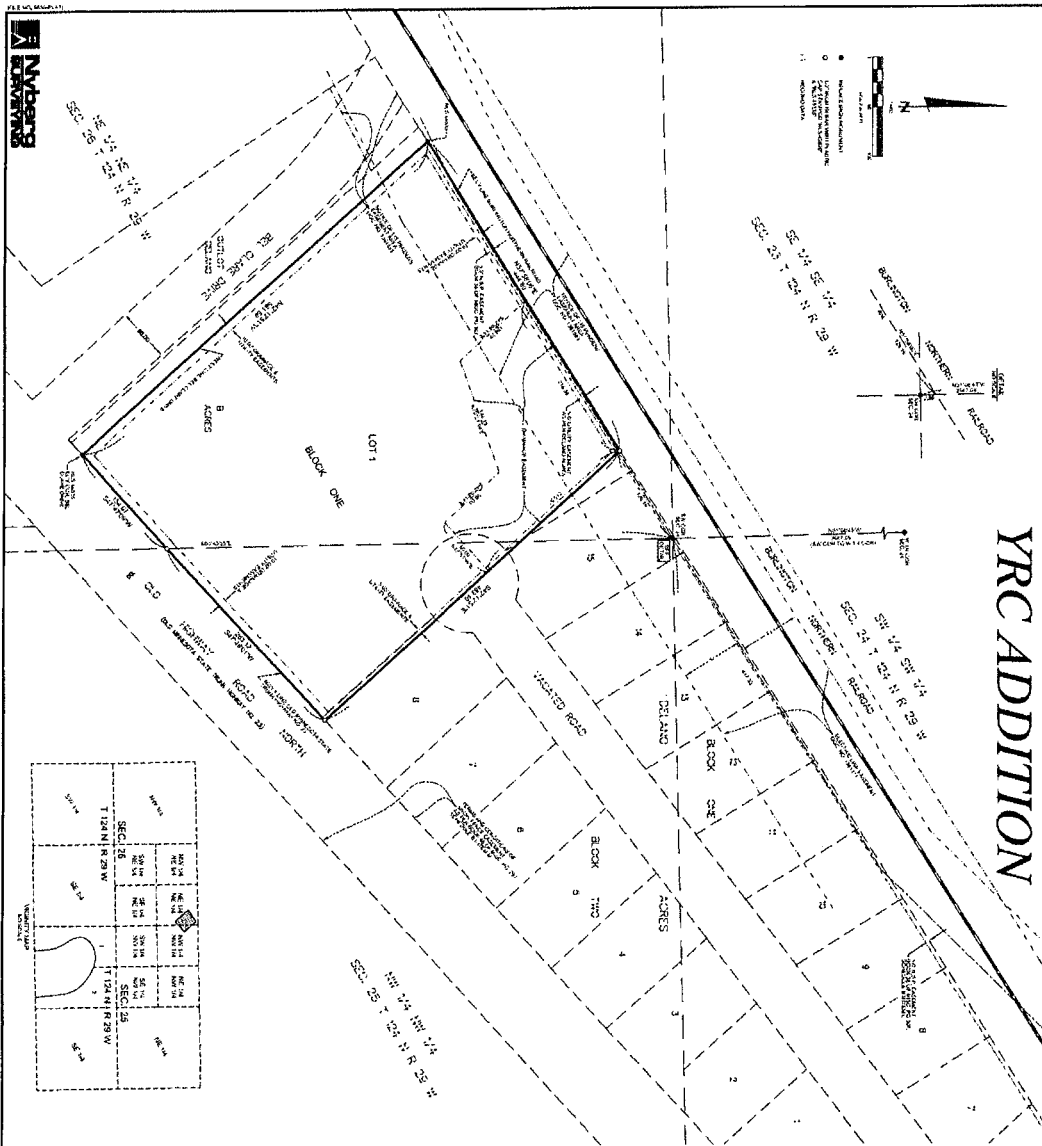
thence South 42 degrees 12 minutes 51 seconds East 483.10 feet to said northwesterly right-of-way line of Old Minnesota State Trunk Highway No. 23;

thence South 47 degrees 48 minutes 01 seconds West, along said northwesterly right-of-way line, 283.12 feet to a point on the east line of aforesaid Section 26;

thence South 47 degrees 47 minutes 09 seconds West, along said northwesterly right-of-way line, 154.67 feet to the point of beginning.

# EXHIBIT A1

APRIL 2003  
 LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



SECTION 26		SECTION 27		SECTION 28	
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
55	56	57	58	59	60
61	62	63	64	65	66
67	68	69	70	71	72
73	74	75	76	77	78
79	80	81	82	83	84
85	86	87	88	89	90
91	92	93	94	95	96
97	98	99	100		

**YRC ADDITION**

THIS PLAT IS FOR THE YRC ADDITION, IN THE CITY OF HARDY, MISSOURI, AS SHOWN ON THE ATTACHED MAP. THE PLAT IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R) ATTACHED TO THIS PLAT. THE CC&R IS A PART OF THIS PLAT AND IS HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT. THE CC&R IS A PART OF THIS PLAT AND IS HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT. THE CC&R IS A PART OF THIS PLAT AND IS HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT.

**SECTION 1: PURPOSE AND SCOPE**

The purpose of this plat is to divide the land described in the declaration into lots and to establish the boundaries of the lots. The plat is subject to the terms and conditions set forth in the declaration.

**SECTION 2: DESCRIPTION OF THE TRACT**

The tract is located in the City of Hardy, Missouri, and is bounded by Hardy Road to the north and east, Hardy Road to the south, and Hardy Road to the west. The tract contains 100 lots, numbered 1 through 100.

**SECTION 3: BOUNDARIES AND UTILITIES**

The boundaries of the lots are shown on the attached map. Existing utilities and roads are also shown on the map.

**SECTION 4: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R)**

The CC&R is a part of this plat and is hereby incorporated by reference into this plat. The CC&R sets forth the terms and conditions for the use of the lots and the maintenance of the common areas.

**SECTION 5: SIGNATURES**

This plat is signed and attested by the City of Hardy, Missouri, and the plat is hereby certified to be a true and correct copy of the original plat as the same appears in the records of the City of Hardy, Missouri.

**SECTION 6: RECORDING INFORMATION**

This plat is being recorded in the records of the City of Hardy, Missouri, as required by law.

## EXHIBIT B

### FINDINGS OF FACT RELATED TO THE REQUESTED PRELIMINARY PLAT:

**Guideline #1** The proposed preliminary plat conforms to the requirements of Ordinance 58 and the applicable zoning district regulations.

Finding #1 The proposed preliminary plat conforms to the requirements of Ordinance 58 and the applicable zoning district regulations.

**Guideline #2** The proposed subdivision is consistent with the City's Comprehensive Plan and any other adopted land use studies and is compatible with the platting or approved preliminary plat on adjoining lands.

Finding #2 The proposed subdivision is consistent with the City's Comprehensive Plan and any other adopted land use studies and is compatible with the platting or approved preliminary plat on adjoining lands

**Guideline #3** The proposed plat does not constitute a 'premature subdivision' under section 58.7, Subd. 1(D) of Ordinance 58.

Finding #3 The proposed plat does not constitute a "premature subdivision" under section 58.7, Subd. 1(D) of Ordinance 58.

**Guideline #4** The physical characteristics of the site, including but not limited to topography, vegetation, wetlands, susceptibility to erosion and siltation, susceptibility to flooding, water storage and retention, are such that the site is suitable for the type of development or use contemplated.

Finding #4 The physical characteristics of this site, including topography, vegetation, wetlands, susceptibility to erosion and siltation, susceptibility to flooding, water storage and retention, are such that this site will be suitable for a trucking/freight terminal.

**Guideline #5** The design or improvement of the proposed subdivision complies with applicable plans of the County and the State of Minnesota.

Finding #5 The design of the proposed subdivision complies with applicable plans of the County and the State of Minnesota.

**Guideline #6** The design or improvement of the proposed subdivision is not likely to cause environmental damage or health problems.

Finding #6 The design of the proposed subdivision will not likely cause environmental damage or health problems.

**Guideline #7** The completion of the proposed development of the subdivision can be achieved in a timely manner so as not to cause an undue economic burden upon the City for maintenance, repayment of bonds or similar burden.

Finding #7 The proposed development of the subdivision would be completed in a timely manner and would not cause an undue economic burden upon the City for maintenance, repayment of bonds or similar burden.

**Guideline #8** That permits applicable to the site/project as required by local, state and federal law have been applied for and/or have been approved. The Applicant is required to prove compliance with all local, state and federal law. The City and/or its assigns may determine if whether an application for approval is sufficient or if approval a permit application is acceptable.

Finding #8 The permits applicable to the site/project as required by local, state and federal law have been applied for and/or have been approved. The Applicant will prove compliance with all local, state and federal law. The City and/or its assigns will determine if whether an application for approval is sufficient or if approval a permit application is acceptable.

FINDINGS OF FACT RELATED TO THE REQUESTED FINAL PLAT:

Guideline #1 The final plat conforms to the approved preliminary plat and any/all conditions for approval of the preliminary plat.

Finding #1 The final plat of YRC Addition conforms to the approved preliminary plat and any/all conditions for approval of the preliminary plat.

Guideline #2 All submission requirements have been satisfied.

Finding #2 All submission requirements have been satisfied.

Guideline #3 The plat conforms to all applicable requirements of Ordinance 58, subject only to approved rule exceptions.

Finding #3 The plat of YRC Addition conforms to all applicable requirements of Ordinance 58, subject only to approved rule exceptions.