

ORDINANCE NO. 94-167

AN ORDINANCE APPROVING THE EXCHANGE OF LAND WITHIN
TONY SCHMIDT
COUNTY PARK

WHEREAS, Ramsey County has received a request from Marjorie O. Ashbach for a driveway access across parkland in order to facilitate subdivision of a residential parcel located adjacent to Tony Schmidt County Park; and

WHEREAS, The driveway access requested by the petitioner is the only feasible access for the proposed subdivided lot; and

WHEREAS, The area proposed for the driveway access is currently encumbered by existing driveway easements that service four other residential properties; and

WHEREAS, The petitioner has agreed to a land exchange whereby Ramsey County would exchange land currently encumbered by a driveway easement for an equal amount of unencumbered land that can be incorporated into Tony Schmidt County Park; and

WHEREAS, The petitioner has agreed to prepare the necessary survey documents and legal descriptions, and pay all costs associated with the transaction, including all filing and recording fees; and

WHEREAS, Pursuant to the Ramsey County Home Rule Charter, the Ramsey County Board of Commissioners held a public hearing on February 1, 1994, to receive comments on the proposed land exchange; and

WHEREAS, Several property owners in the vicinity of the subject property spoke in opposition to the exchange stating that the exchange would make it possible for the property owner to further develop their property; and

WHEREAS, Pursuant to the Ramsey County Home Rule Charter, the Ramsey County Board of Commissioners held a first and second reading of the proposed ordinance and conducted a public hearing to receive comments on the ordinance; and

WHEREAS, Authority to address development issues is vested with the city of Arden Hills; and

WHEREAS, The proposed land exchange is beneficial to Ramsey County in that the County would exchange a parcel of land currently encumbered by driveway easements for an unencumbered parcel of land of equal size; Now, Therefore

THE BOARD OF COMMISSIONERS OF THE COUNTY OF RAMSEY
DOES

ORDAIN, The exchange of land currently owned by Ramsey County as part of Tony Schmidt County Park and described below as "Tract D" for land currently owned by Marjorie O. Ashbach, as described below as "Tract C," is hereby approved;

Description "Tract D":

That part of Lot 3, Block 5, Shady Oaks Addition, Ramsey County, Minnesota, described as:

A strip of land 30 feet in width, the easterly line of which is described as follows:

Beginning at a point on the north line of said Lot 3 distant 150 feet west of the northeast corner of said Lot 3; thence southerly along a line parallel to the easterly line of said Lot 3 to the north line of Lake Johanna Boulevard and there terminating.

Together with that part of said Lot 3 described as:

Beginning at a point on the north line of said Lot 3 distant 208 feet west of the northeast corner of said Lot 3; thence South 22 degrees 55 minutes 03 seconds East to the intersection with the westerly line of the above described 30.00 foot easement; thence northerly along said westerly line to the north line of said Lot 3; thence west along said north line to the point of beginning.

The north line of said Lot 3 has been assigned a bearing of North 89 degrees 44 minutes 57 seconds East.
Containing 14.558 Sq Ft ±

Description "Tract C":

That part of the east 525.00 feet of the south 150.00 feet of the SE 1/4 of Section 28, T 30, R 23, Ramsey County,

Minnesota, lying west of the following described line:

Beginning at a point on the south line of said SE 1/4 distant 400.00 feet west of the southeast corner of said Section 28; thence North 8 degrees 31 minutes 30 seconds East to the north line of said south 150.00 feet and there terminating.

The south line of said SE 1/4 has been assigned a bearing of North 89 degrees 44 minutes 57 seconds East.
Containing 14,558 Sq Ft ±

and Does Further

ORDAIN, That this exchange will be implemented upon approval of a lot split establishing "Tract C" by the city of Arden Hills; and Does Further

ORDAIN, That the Chair and Chief Clerk are authorized to execute the documents necessary to implement the land exchange.