

OFFICIAL SUMMARY OF
AN ORDINANCE APPROVING
THE EXCHANGE OF LAND AT
TONY SCHMIDT COUNTY PARK

This Ordinance authorizes the exchange of property between the County of Ramsey and LeRoy and Bernice Albjerg. The County's parcel is within Tony Schmidt County Park. Mr. and Ms. Albjerg's parcel is adjacent to Tony Schmidt County Park.

ORDINANCE NO. 96-257

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

WHEREAS, The Ramsey County Attorney has reached a plea agreement in Ramsey County District Court, File No. T2-95-58966, with LeRoy and Bernice Albjerg, Defendants, who are the owners of property located adjacent to the Tony Schmidt County Park at 1680 Oak Avenue, Arden Hills; and

WHEREAS, The plea agreement sets forth the terms and conditions of an exchange of land and easements intended to resolve instances of private encroachment onto the Tony Schmidt County Park adjoining Mr. and Ms. Albjerg's property; and

WHEREAS, The parcels proposed to be exchanged are of similar size and value to the Ramsey County parks system, and will result in no net loss of park land; and

WHEREAS, The proposed land exchange is beneficial to Ramsey County in that it will clarify property boundaries and eliminate title problems and violations of Ramsey County ordinance; and

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WHEREAS, Pursuant to the Ramsey County Home Rule Charter, the Ramsey County Board of Commissioners held a public hearing on June 4, 1996 to receive comments on the proposed land exchange; and

WHEREAS, Pursuant to the Ramsey County Home Rule Charter, the Ramsey County Board of Commissioners held a first reading of the proposed ordinance on June 4, 1996, and held a second reading of the proposed ordinance and conducted a public hearing to receive comments on the ordinance on June 18, 1996; Now, Therefore,

THE BOARD OF COMMISSIONERS OF THE COUNTY OF RAMSEY
DOES

ORDAIN, That the exchange of real property currently owned by Ramsey County as part of the Tony Schmidt County Park and described below as "Parcel B" for real property currently owned by LeRoy and Bernice Albjerg, as described below as "Parcel A," is hereby approved;

Description "Parcel A":

That part of the East 1/2 of the Southeast 1/4 of Section 28, Township 30 North, Range 23 West, lying south of the Minneapolis, Saint Paul and Sault Ste Marie Railway Company right of way described more particularly as follows:

Commencing at the intersection of the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28 with the southerly line of said railroad right of way; thence N 78° 39' 38" E, bearing based on the Ramsey County Coordinate System dated December 17, 1991, and along the southerly line of said railroad right of way a distance of 434.10 feet to the point of beginning; thence continuing N 78° 39' 38" E along the southerly line of said railroad right of way a distance of 39.67 feet; thence S 00° 48' 16" E a distance of 282.76 feet,

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parallel with the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence S 89° 40' 33" W a distance of 39.00 feet parallel with the south line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence N 00° 48' 16" W a distance of 275.18 feet, parallel with the westerly line of the Southeast 1/4 of the Southeast 1/4 of said Section 28 to the point of beginning,

ALSO

A strip of land 40 feet in width (being 20 feet on each side) of the westerly extension of the dividing line between Lots 6 and 7, Block 28, Shorewood Hills No. 5, said extension beginning at the Westerly line of Block 28 of said Shorewood Hills No. 5 and extending to the Easterly line of the following described property:

That part of the East 1/2 of the Southeast 1/4 Section 28, Township 30, Range 23, lying South of the Minneapolis, Saint Paul and Sault Ste. Marie Railway Company right of way described as follows: Beginning at a point on the South line of said Railroad right of way distant 250 feet East of the West line of said East 1/2 of Southeast 1/4 of said Section 28; thence South on a line parallel with said West line for a distance of 240 feet; then East on a line parallel with South line of said Southeast 1/4 for a distance of 220 feet; thence North on a line parallel with said West line of said Southeast 1/4 a distance of 275 feet more or less to Southerly line of said Railroad right of way; thence Westerly on said Southerly Railroad right of way line to beginning;

Description "Parcel B":

That part of the East 1/2 of the Southeast 1/4 of Section 28, Township 30 North, Range 23 West, lying south of the Minneapolis, Saint Paul and Sault Ste Marie Railway Company right of way described more particularly as follows:

Commencing at the intersection of the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28 with the southerly line of said railroad right of way; thence N 78° 39' 38" E, bearing based on the Ramsey County Coordinate System dated December 17, 1991, and along the southerly line of said railroad right of way a distance of 236.78 feet to the point of beginning; thence continuing N 78° 39' 38" E along said southerly railroad right of way a distance of 13.22 feet; thence S 00° 48' 16" E a distance of 240.00 feet, parallel with the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence N 89° 40' 33" E a distance of 181.00 feet parallel to the south line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence S 00° 48' 16" E a distance of 40.00 feet; parallel with the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence S 89° 40' 33" W a distance of 194.00 feet parallel with the southerly line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence N 00° 48' 16" W a distance of 277.47 feet parallel with the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28 to the point of beginning,

and including an easement for driveway purposes over, under, and across that part of the East 1/2 of the Southeast 1/4 of Section 28, Township 30 North, Range 23 West, lying south of the Minneapolis, Saint Paul and Sault Ste Marie Railway Company right of way described more particularly as follows:

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Commencing at the intersection of the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28 with the southerly line of said railroad right of way; thence N 78° 39' 38" E, bearing based on the Ramsey County Coordinate System dated December 17, 1991, and along the southerly line of said railroad right of way a distance of 473.77 feet; thence S 00° 48' 16" E a distance of 219.88 feet, parallel with the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 28, to the point of beginning; thence N 62° 48' 16" E a distance of 93.99 feet; thence N 27° 11' 14" W a distance of 10.50 feet; thence N 62° 48' 16" E a distance of 5.00 feet; thence S 27° 11' 44" E a distance of 10.50 feet; thence N 62° 48' 16" E a distance of 65.08 feet to the intersection of the westerly line of the easterly 700 feet of the Southeast 1/4 of said Section 28, also being the westerly line of the Plat of Shorewood Hills No. 5; thence S 00° 35' 03" E a distance of 31.32 feet, along the westerly line of the easterly 700 feet of the Southeast 1/4 of said Section 28, also being the westerly line of the plat of Shorewood Hills No. 5; thence S 62° 48' 16" W a distance of 53.14 feet; thence S 27° 11' 44" E a distance of 2.50 feet; thence S 62° 48' 16" W a distance of 5.00 feet; thence N 27° 11' 44" W a distance of 2.50 feet; thence S 62° 48' 16" W a distance of 105.80 feet; thence continuing S 62° 48' 16" W a distance of 43.54 feet; thence N 00° 48' 16" W a distance of 31.26 feet parallel with the westerly line of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence N 62° 48' 16" E a distance of 43.54 feet to the point of beginning.

and Does Further

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

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ORDAIN, That this Ordinance shall not be effective until thirty (30) days after publication of the Ordinance and the minutes in order to permit filing of any initiative and referendum in accord with the Ramsey County Home Rule Charter.