

**CITY OF EDEN PRAIRIE  
HENNEPIN COUNTY, MINNESOTA**

**ORDINANCE NO. 13-2023**

**AN ORDINANCE OF THE CITY OF EDEN PRAIRIE, MINNESOTA, REMOVING CERTAIN LAND FROM ONE ZONING DISTRICT AND PLACING IT IN ANOTHER, AMENDING THE LEGAL DESCRIPTIONS OF LAND IN EACH DISTRICT, AND ADOPTING BY REFERENCE CITY CODE CHAPTER 11 AND SECTION 11.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS**

**THE CITY COUNCIL OF THE CITY OF EDEN PRAIRIE, MINNESOTA, ORDAINS:**

Section 1. That the land which is the subject of this Ordinance (hereinafter, the "land") is legally described in Exhibit A attached hereto and made a part hereof.

Section 2. That action was duly initiated proposing that the land be removed from the Rural Zoning District and be placed in the R1-9.5 Zoning District.

Section 3. The proposal is hereby adopted and the land shall be, and hereby is removed from the Rural Zoning District and shall be included hereafter in the R1-9.5 Zoning District, and the legal descriptions of land in each Zoning District referred to in City Code Section 11.03, Subdivision 1, Subparagraph B, shall be, and are amended accordingly.

Section 4. City Code Chapter 1, entitled "General Provisions and Definitions Applicable to the Entire City Code Including Penalty for Violation" and Section 11.99, "Violation a Misdemeanor" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.


Section 5. The land shall be subject to the terms and conditions of that certain Development Agreement dated as of August 15, 2023, entered into between 6285 Duck Lake, LLC, and the City of Eden Prairie, and which Agreement are hereby made a part hereof.

Section 6. This Ordinance shall become effective from and after its passage and publication.

FIRST READ at a regular meeting of the City Council of the City of Eden Prairie on the 13th day of June, 2023, and finally read and adopted and ordered published in summary form as attached hereto at a regular meeting of the City Council of said City on the 15th day of August, 2023.

**ATTEST:**

  
Nicole Tingley, City Clerk

  
Ronald A. Case, Mayor

PUBLISHED in the *Sun Sailor* on August 24, 2023.

# **EXHIBIT A**

## **Land to be rezoned from Rural to R1-9.5**

### **Legal Description Prior to Final Plat**

That part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 116, Range 22, described as beginning at a point on the West line of said Northeast Quarter of the Northwest Quarter a distance of 463.3 feet South of the Northwest corner thereof; thence South along said West line to a point 789.2 feet North of the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence East parallel with the South line of said Northeast Quarter of the Northwest Quarter, a distance of 280.55 feet; thence North 321.49 feet along a line which if extended would intersect the North line of said Northeast Quarter of the Northwest Quarter at a point 282.46 feet East of the Northwest corner of said Northeast Quarter of the Northwest Quarter; thence West to the point of beginning.

Torrens Property

### **Legal Description After the Final Plat**

Lots 1-4 and Outlots A, B, and C, Kiwatchi Addition, Hennepin County, Minnesota

**KIWATCHI ADDITION**

**CITY OF EDEN PRAIRIE  
HENNEPIN COUNTY, MINNESOTA**

**SUMMARY OF  
ORDINANCE NO. 13- 2023**

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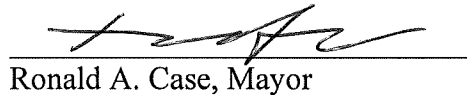
**THE CITY COUNCIL OF THE CITY OF EDEN PRAIRIE, MINNESOTA,  
ORDAINS:**

Summary: This ordinance allows rezoning of land located at 6285 Duck Lake Road from the Rural Zoning District to the R1-9.5 Zoning District. Exhibit A, included with this Ordinance, gives the full legal description of this property.

Effective Date: This Ordinance shall take effect upon publication.

**ATTEST:**

  
Nicole Tingley, City Clerk

  
Ronald A. Case, Mayor

PUBLISHED in the *Sun Sailor* on August 24, 2023.

(A full copy of the text of this Ordinance is available from City Clerk.)

# AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA ) ss  
COUNTY OF HENNEPIN

Rhonda Herberg being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

SS Mtka\_Excelsior\_Eden Prairie

with the known office of issue being located in the county of:

HENNEPIN

with additional circulation in the counties of:  
HENNEPIN

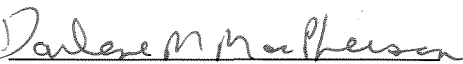
and has full knowledge of the facts stated below:

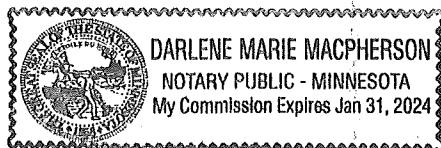
- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 08/24/2023 and the last insertion being on 08/24/2023.

**MORTGAGE FORECLOSURE NOTICES**  
Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By:   
Designated Agent

Subscribed and sworn to or affirmed before me on 08/24/2023 by Rhonda Herberg.

  
Notary Public



## Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:  
\$999.99 per column inch

Ad ID 1335906

CITY OF EDEN PRAIRIE  
HENNEPIN COUNTY,  
MINNESOTA  
KIWATCHI ADDITION  
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Ronald A. Case, Mayor  
ATTEST: Nicole Tingley, City Clerk

Published in the  
Sun Sailor  
August 24, 2023  
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