

CITY OF EDEN PRAIRIE  
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 16-2023

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 and Parks and Open Space Zoning Districts as described in Exhibit A.

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 and Parks and Open Space Zoning Districts, 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.

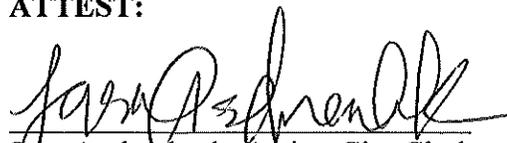
Section 4. City Code Chapter 1, entitled “General Provisions and Definitions Applicable to the Entire City Code Including Penalty for Violation” and Section 11.99, “Violation a Misdemeanor” are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 5. The land shall be subject to the terms and conditions of that certain Development Agreement dated as of October 17, 2023, entered into between 5H Holdings, 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 19<sup>th</sup> day of September, 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 17<sup>th</sup> day of October, 2023.

ATTEST:

  
Sara Aschenbeck, Acting City Clerk

  
Ronald A. Case, Mayor

PUBLISHED in the *Sun Sailor* on October 26, 2023.

# **EXHIBIT A**

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

Tract E, Registered Land Survey No 1410 Hennepin Co, MN  
Torrens Certificate No. 641983

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

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

Lots 1-5, Block 1, Three Oaks Estates, Hennepin County, MN

## **Land to be rezoned from Rural to Parks and Open Space**

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

Outlot A, Three Oaks Estates, Hennepin County, MN

**THREE OAKS ESTATES**

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

**SUMMARY OF  
ORDINANCE NO. 16-2023**

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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 1 AND SECTION 11.99, WHICH, AMONG OTHER THINGS,  
CONTAIN PENALTY PROVISIONS**

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

Summary: This ordinance allows rezoning of land located at 9614 Crestwood Terrace from the Rural Zoning District to the R1-9.5 and Parks and Open Space Zoning Districts. Exhibit A, included with this Ordinance, gives the full legal description of this property.

Effective Date: This Ordinance shall take effect upon publication.

**ATTEST:**



Sara Aschenbeck, Acting City Clerk



Ronald A. Case, Mayor

PUBLISHED in the *Sun Sailor* on October 26, 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:

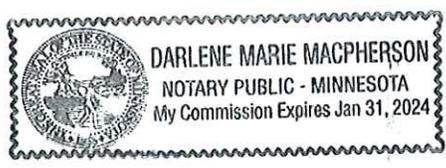
- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 10/26/2023 and the last insertion being on 10/26/2023.

**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 10/26/2023 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 1349337

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HENNEPIN COUNTY,  
MINNESOTA  
THREE OAKS ESTATES  
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Ronald A. Case, Mayor  
ATTEST: Sara Aschenbeck,  
Acting City Clerk

Published in the  
Sun Sailor  
October 26, 2023  
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