DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2026-_____

RESOLUTION APPROVING A LOT LINE ADJUSTMENT FOR THE SIEBEN AND JB LAND PROPERTIES

WHEREAS, Stinson, LLP submitted, on behalf of JB Land, LLC, a lot line adjustment application ("Application") to Denmark Township ("Town") seeking approval of an adjustment of the lot line between the property owned by Harry Sieben and Mary Sieben (collectively the "Siebens") and the property owned by JB Land, LLC ("JB") (collectively, the "Owners");

WHEREAS, the proposed lot line adjustment is between the property (PID 03.027.20.32.0007) owned by the Siebens located at 6630 St. Croix Trail S, Hastings, MN 55033, which contains approximately 7 acres, ("Sieben Property") and the property (PID 03.027.20.32.0012) owned by JB Land, LLC located on Panoramic Road S, Hastings, MN 55033 (specific house number not yet assigned), which contains approximately 3.3 acres ("JB Property"), as both are legally described in the attached Exhibit A (collectively the "Properties");

WHEREAS, the Owners signed the Application, which was submitted in furtherance of a mediated settlement agreement executed by the Owners on December 23, 2025 ("Settlement Agreement") to resolve the suit titled "*Harry Sieben and Mary Sieben v. JB Development, LLC, JB Land, LLC, and Unknown Owners of Lots 1-2, Block 1, Lots 1-3, Block 2 and Lots 1-5, Block 3 and Lot 1, Block 4 Plat of Erin Glen, XYZ Municipal Corporation*" (Court file number 82-CV-24-3052) ("Suit");

WHEREAS, the Owners desire to undertake the lot line adjustment to transfer an approximately 2.47 acre portion of the JB Property, legally described in the attached Exhibit B ("Transfer Portion"), to the Sieben Property as shown on the survey attached hereto as Exhibit C;

WHEREAS, the lot line adjustment will expand the Sieben Property (identified as Parcel A on the attached survey) so it contains approximately 9.44 acres, as legally described in the attached Exhibit D ("Expanded Sieben Property"), and will reduce the JB Property (identified as Parcel B on the attached survey) so it contains approximately 0.83 acres, as legally described in the attached Exhibit E ("Reduced JB Property");

WHEREAS, to implement the Settlement Agreement, and as part of resolving the underlying issues in the Suit, the Owners desire the development agreement executed for this lot line adjustment to set out the following understandings and agreements among the Owners and the Town related to the lot line adjustment and the obligations applicable to the resulting properties (collectively, the "Collective Agreements"):

(a) The Expanded Sieben Property is not subject to a homeowners association established for the plat of Erin Glen ("Subdivision"), to the extent one exists for the Subdivision;

(b) The Expanded Sieben Property is not subject to any restrictive covenants established for the Subdivision, to the extent they exist;

(c) The Expanded Sieben Property is not subject to the Stormwater Maintenance Agreement By and Between Denmark Township and 6680 St Croix Trail LLC related to stormwater improvements in the Subdivision, which was recorded in the Office of the County Recorder on February 3, 2017, as Document No. 4101695 ("Stormwater Agreement");

(d) The Expanded Sieben Property is not responsible for maintaining the stormwater pond on the Reduced JB Parcel (Parcel B);

(e) The Siebens are not responsible for maintaining or removing the trees along the north side of the stormwater pond that are located on the Reduced JB Property. Additionally, the Siebens are not responsible for any damage to the stormwater pond that may be caused by the trees located on the north side of the pond, whether they are on the Expanded Sieben Property and the Reduced JB Property;

(f) JB consents to the formation of a storm sewer improvement tax district ("District") for the Subdivision;

(g) The Expanded Sieben Property will not be included as part of the District; and

(h) The maintenance and repair of the stormwater pond on the Reduced JB Property will be accomplished as provided in the Stormwater Agreement, and will be subject to the District, but will not be the obligation of the Expanded Sieben Property.

WHEREAS, the Town Board hereby finds and determines with respect to the requested lot line adjustment as follows:

(a) Lot line adjustments are allowed under Chapter Three, Section 4.1 of the Denmark Township Development Code ("Development Code"), provided the affected parcels are abutting, no new lots are created, it does not result in an undersized lot, and the applicants supply the required submittals, enter into a development agreement with the Town, and pays all the costs the Town incurs related to processing and acting on the application;

(b) The Properties are located within the Town's Rural Residential (RR) Zoning District as designated by the Development Code;

(c) The maximum allowed density in the RR District is eight (8) density units per forty (40) acres (1/5) and the minimum lot size is five (5) acres;

(d) The Town Board is aware the Reduced JB Property will be an undersized lot under the Development Code. However, this lot line adjustment eliminates the density unit for the JB Property, the exclusive use of the Reduced JB Property will be for the stormwater pond, and the lot cannot be developed in the future. Therefore, the undersized lot will not create the negative impacts associated with creating and undersized lot. Furthermore, the lot line adjustment as being proposed is a key part of settling the Suit; and

(e) The Sieben Property currently has one density unit, which is used by the existing home on that property. The Expanded Sieben Property does not gain an additional density unit as a result of this lot line adjustment; and

WHEREAS, the Town Board determines the proposed lot line adjustment is consistent with its Development Code and that it should be approved, subject to certain conditions as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the proposed lot line adjustment to realign the lot line between the Sieben Property and the JB Property by transferring the Transfer Parcel from the JB Property to the Sieben Property as shown on the survey map attached as Exhibit C, to result in Expanded Sieben Property (Parcel A), as legally described in the attached Exhibit E, and the Reduced JB Property, as legally described in the attached Exhibit D, and conditioned on the parties complying with all the following:

1. Development Agreement. No later than 60 days from the date of this Resolution, the Owners shall enter into a development agreement with the Town, which the Town will draft. The development agreement will contain the Collective Agreements of the parties as indicated above. Furthermore, the Owners, their heirs, successors, and assigns, shall comply with the terms and conditions of the development agreement as well as all applicable laws, rules, and ordinances. Notwithstanding the foregoing, the Town may agree to the Sieben's entering into a separate, permanent, recorded covenant against the Expanded Sieben Property in a form acceptable to the Town Attorney setting forth the obligations and agreements in this Resolution.

2. Density. As a result of the lot line adjustment, the Expanded Sieben Property has a total of one (1) density unit, which is used by the existing home, and the Reduced JB Property will have zero (0) density units.

3. Additional Information. The Owners shall be responsible for providing, at no cost to the Town, all such additional information as the Town Attorney may reasonably request to assist in preparing the development agreement and as the County may require to record this lot line adjustment.

4. Combine Parcels. The Siebens must combine the Transfer Portion with the Sieben Property on the same deed, so it shows the Expanded Sieben Property as a single tax parcel with one property identification number. The deed shall be recorded in the office of the County Recorder and a copy of the recorded deeds provided to the Town within seven days of recording.

5. Cost Reimbursement. The Owners are responsible for reimbursing the Town for all costs incurred related to processing the application including, but not limited to, professional costs incurred related to this matter and recording costs. The Owners may separately agree on the division of the Town's costs between them, provided the Town is fully reimbursed.

6. Recording. The Owners shall be responsible for developing, executing, and recording such transfer documents and deeds as may be required to properly transfer the property subject to the lot line adjustment. The Town will record the development agreement using the escrowed funds.

7. Additional Approvals. The Owners are responsible for obtaining any other approvals that may be required and for making such corrections to its descriptions and survey as may be required by Washington County for recording purposes.

BE IT FURTHER RESOLVED, this approval of the requested lot line adjustment shall be rendered null and void, and no transfer of property between the parcels shall be allowed, if the Owners do not: provide the requested information; enter into a development agreement in a form acceptable to the Town; comply with the provisions of the development agreement; or comply with the other terms and conditions of this Resolution; and

BE IT FINALLY RESOLVED, the Town Board Chairperson and the Town Clerk-Treasurer are hereby authorized to enter into the development agreement for this lot line adjustment on behalf of the Town once it is in a form acceptable to the Town Attorney.

Adopted this 6th day of July 2026.

BY THE TOWN BOARD

_____
John Strohfus, Chairperson

Attest:_____
Jessica Maurer, Clerk-Treasurer

EXHIBIT A
Existing Legal Descriptions of the Properties

Sieben Property (PID 03.027.20.32.0007)

That part of the Northwest 1/4 of the Southwest 1/4 of Section 3, Township 27, Range 20, Washington County, Minnesota described as follows:

Commencing at the northwest corner said Northwest 1/4 of the Southwest 1/4; thence North 89 degrees 07 minutes 22 seconds East, assumed bearing, along the north line of said Northwest 1/4 of the Southwest 1/4 for 849.51 feet to the center line of County State Aid Highway No. 21 (St. Croix Trail); thence South 07 degrees 51 minutes 14 seconds East, along said center line a distance of 624.91 feet to the point of beginning of the parcel to be described; thence continuing South 07 degrees 51 minutes 14 seconds East, along said center line a distance of 386.87 feet; thence South 82 degrees 08 minutes 46 seconds West a distance of 100.00 feet; thence South 70 degrees 27 minutes 58 seconds West a distance of 195.74 feet; thence westerly a distance of 107.98 feet, along a tangential curve, concave to the north having a radius of 430.00 feet and a central angle of 14 degrees 23 minutes 18 seconds; thence northwesterly a distance of 76.52 feet, along a compound curve, concave to the northeast, having a radius of 120.00 feet and a central angle of 36 degrees 32 minutes 06 seconds; thence North 58 degrees 36 minutes 38 seconds West, tangent to last described curve, a distance of 173.67 feet; thence northwesterly a distance of 140.07 feet, along a tangential curve, concave to the northeast, having a radius of 500.00 feet and a central angle of 16 degrees 03 minutes 05 seconds; thence North 42 degrees 33 minutes 34 seconds West, tangent to last described curve, a distance of 85.56 feet; thence northwesterly a distance of 34.68 feet, along a tangential curve, concave to the northeast, having a radius of 225.00 feet and a central angle of 08 degrees 49 minutes 52 seconds; thence North 39 degrees 45 minutes 39 seconds East, not tangent to last described curve, a distance of 302.17 feet; thence South 86 degrees 32 minutes 14 seconds East a distance of 552.26 feet to the point of beginning.

JB Property (PID 03.027.20.32.0012)

Lot 1, Block 4, Erin Glen, according to the plat thereof, on file and of record in the Office of the Washington County Recorder.

EXHIBIT B

Legal Description of Transfer Portion

Lot 1, Block 4, ERIN GLEN, according to the plat thereof, on file and of record in the Office of the Washington County Recorder, except that part thereof described as follows:

Beginning at the southeast corner of said Lot 1; thence on an assumed bearing of South 81 degrees 55 minutes 35 seconds West along the south line of said Lot 1 a distance of 154.45 feet; thence westerly a distance of 73.60 feet along said south line being a tangential curve, concave to the north, having a radius of 567.00 feet and a central angle of 7 degrees 26 minutes 13 seconds; thence South 89 degrees 21 minutes 48 seconds West, tangent to the last described curve, along said south line a distance of 20.53 feet; thence North 00 degrees 38 minutes 12 seconds West a distance of 129.77 feet; thence North 74 degrees 09 minutes 45 seconds East a distance of 234.19 feet to the east line of said Lot 1; thence South 07 degrees 51 minutes 14 seconds East along said east line a distance of 167.75 feet to the point of beginning.

EXHIBIT C
Survey Map

[attached hereto]

EXHIBIT D

Legal Descriptions of the Expanded Sieben Property

PARCEL A (PID 03.027.20.32.0007)

That part of the Northwest 1/4 of the Southwest 1/4 of Section 3, Township 27, Range 20, Washington County, Minnesota described as follows:

Commencing at the northwest corner said Northwest 1/4 of the Southwest 1/4; thence North 89 degrees 07 minutes 22 seconds East, assumed bearing, along the north line of said Northwest 1/4 of the Southwest 1/4 for 849.51 feet to the center line of County State Aid Highway No. 21 (St. Croix Trail); thence South 07 degrees 51 minutes 14 seconds East, along said center line a distance of 624.91 feet to the point of beginning of the parcel to be described; thence continuing South 07 degrees 51 minutes 14 seconds East, along said center line a distance of 386.87 feet; thence South 82 degrees 08 minutes 46 seconds West a distance of 100.00 feet; thence South 70 degrees 27 minutes 58 seconds West a distance of 195.74 feet; thence westerly a distance of 107.98 feet, along a tangential curve, concave to the north having a radius of 430.00 feet and a central angle of 14 degrees 23 minutes 18 seconds; thence northwesterly a distance of 76.52 feet, along a compound curve, concave to the northeast, having a radius of 120.00 feet and a central angle of 36 degrees 32 minutes 06 seconds; thence North 58 degrees 36 minutes 38 seconds West, tangent to last described curve, a distance of 173.67 feet; thence northwesterly a distance of 140.07 feet, along a tangential curve, concave to the northeast, having a radius of 500.00 feet and a central angle of 16 degrees 03 minutes 05 seconds; thence North 42 degrees 33 minutes 34 seconds West, tangent to last described curve, a distance of 85.56 feet; thence northwesterly a distance of 34.68 feet, along a tangential curve, concave to the northeast, having a radius of 225.00 feet and a central angle of 08 degrees 49 minutes 52 seconds; thence North 39 degrees 45 minutes 39 seconds East, not tangent to last described curve, a distance of 302.17 feet; thence South 86 degrees 32 minutes 14 seconds East a distance of 552.26 feet to the point of beginning.

TOGETHER WITH

Lot 1, Block 4, ERIN GLEN, according to the plat thereof, on file and of record in the Office of the Washington County Recorder, except that part thereof described as follows:

Beginning at the southeast corner of said Lot 1; thence on an assumed bearing of South 81 degrees 55 minutes 35 seconds West along the south line of said Lot 1 a distance of 154.45 feet; thence westerly a distance of 73.60 feet along said south line being a tangential curve, concave to the north, having a radius of 567.00 feet and a central angle of 7 degrees 26 minutes 13 seconds; thence South 89 degrees 21 minutes 48 seconds West, tangent to the last described curve, along said south line a distance of 20.53 feet; thence North 00 degrees 38 minutes 12 seconds West a distance of 129.77 feet; thence North 74 degrees 09 minutes 45 seconds East a distance of 234.19 feet to the east line of said Lot 1; thence South 07 degrees 51 minutes 14 seconds East along said east line a distance of 167.75 feet to the point of beginning.

EXHIBIT E

Legal Description of the Reduced JB Property

PARCEL B (PID 03.027.20.32.0012)

That part of Lot 1, Block 4, ERIN GLEN, according to the plat thereof, on file and of record in the Office of the Washington County Recorder, described as follows:

Beginning at the southeast corner of said Lot 1; thence on an assumed bearing of South 81 degrees 55 minutes 35 seconds West along the south line of said Lot 1 a distance of 154.45 feet; thence westerly a distance of 73.60 feet along said south line being a tangential curve, concave to the north, having a radius of 567.00 feet and a central angle of 7 degrees 26 minutes 13 seconds; thence South 89 degrees 21 minutes 48 seconds West, tangent to the last described curve, along said south line a distance of 20.53 feet; thence North 00 degrees 38 minutes 12 seconds West a distance of 129.77 feet; thence North 74 degrees 09 minutes 45 seconds East a distance of 234.19 feet to the east line of said Lot 1; thence South 07 degrees 51 minutes 14 seconds East along said east line a distance of 167.75 feet to the point of beginning.