

PROPOSED RESOLUTION NO. 29-26

**A RESOLUTION ALLOWING THE WAIVER OF CHAPTER 152 SUBDIVISION
REQUIREMENTS AND RECORDING OF SUBDIVIDED PROPERTY
(Christensen Broadcasting LUV LLC to The David Goedken Revocable Living Trust dated
February 21, 2025, and The Eileen Goedken Revocable Living Trust dated February 21,
2025)**

WHEREAS, The City Council has received a Request for Waiver from the Provisions of Luverne City Code Chapter 152, as amended from time to time, from the owner of the following described tract of real estate, to-wit:

See Attached Legal Description – Exhibit A

and,

WHEREAS, The Council finds that the area is substantially developed and that the proposed division would not negatively impact upon future planning needs, including streets, utilities, access and public improvements as all such items are in place and have been fully and adequately addressed; and,

WHEREAS, Allowing the subdivision will not create a parcel or leave a remainder parcel that is less than the minimum required in the Luverne City Code Chapter 153, as amended from time to time, nor are any of the parcels created shall be in any such shape so as to be undesirable and lacking of regular shape, terrain or otherwise;

NOW THEREFORE, BE IT RESOLVED, by the City Council of Luverne, Minnesota as follows:

1. That the City does hereby find in accordance with the provisions of Luverne City Code Section 152.04, Subd. C(1), as amended from time to time, that the requested subdivision, as set forth herein would create an unnecessary hardship on the property owners and would not promote any of the interest of the City as set forth under Luverne City Code Chapter 152, as amended from time to time.

2. That the cost of compliance with the Luverne City Code Chapter 152, as amended from time to time, by requiring subdivision would exceed the benefits and that failure to comply would not interfere with the valid and legitimate public purpose of said Chapter 152, as amended from time to time.
3. That the Luverne City Council does hereby waive compliance with the Luverne City Code Section 152.04, Subd. C(1), as amended from time to time, as relates to the subdivision of the tract set forth as follows:

See Attached Legal Description – Exhibit B

4. Said transfer shall occur upon the approval of the Rock County Assessor.
5. That there shall be caused to be executed a certified copy of this Resolution, and the same shall be recorded in the office of the Rock County Recorder within sixty (60) days from the date hereof.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LUVERNE, MINNESOTA,
THIS 25th DAY OF AUGUST, 2026.

Patrick T. Baustian, Mayor

ATTESTED:

Jill Wolf, City Administrator

EXHIBIT A

Exhibit A
Parcel A

DESCRIPTION OF THE PROPERTY

That part of the SW $\frac{1}{4}$ of Section 7, in Township 102 North, of Range 44 West of the 5th P.M., lying North of the Railroad Company's right-of-way described as follows: Commencing at a point where the north right-of-way line of the Chicago and Northwestern Railroad intersects the west line of Section 7, Township 102 North, Range 44 West, of the 5th P.M., Rock County, Minnesota; thence North along the West line of said Section 7, 203.3 feet, to the point of beginning; thence North along the West line of said Section 7, 1085.7 feet, to the W $\frac{1}{4}$ corner of said Section 7; thence E along the W $\frac{1}{4}$ of said Section 7, 197.3 feet, to the centerline of Rock County Highway No. 4 as improved; thence turning right 13 degrees 25' 41", tangent to a 1909.86' radius curve, concave southerly and identical with the centerline of Rock County Highway No. 4 as improved, and proceeding along this curve, 647.9 feet; thence along the centerline of Rock County Highway No. 4 as improved tangent to the preceding curve 91.6 feet; thence turning right 58 degrees 06' 00", parallel with the West line of said Section 7, 673.5 feet, to the North right-of-way line of the Chicago and Northwestern Railroad; thence turning right 84 degrees 21' 21", tangent to a 5979.65' radius curve, concave southerly and identical to the North right-of-way line of the Chicago and Northwestern Railroad, and proceeding along this curve, 307.6 feet; thence along said North Railroad right-of-way, 215.0 feet; thence continuing along a projection of the last course, 358.2 feet to the point of beginning

EXHIBIT B

Exhibit B
Parcel B

TRACT 2

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 102 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, ROCK COUNTY, MINNESOTA. DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 7; THENCE NORTH 89 DEGREES 41 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION A DISTANCE OF 199.75 FEET; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF ROCK COUNTY HIGHWAY No. 4 ON A NON-TANGENTIAL CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1909.86 FEET, A CENTRAL ANGLE OF 19 DEGREES 27 MINUTES 00 SECONDS FOR A LENGTH OF 648.34 FEET; THENCE SOUTH 57 DEGREES 26 MINUTES 43 SECONDS EAST ALONG SAID CENTER LINE A DISTANCE OF 28.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 57 DEGREES 26 MINUTES 43 SECONDS EAST ALONG SAID CENTER LINE A DISTANCE OF 58.91 FEET; THENCE SOUTH 00 DEGREES 37 MINUTES 55 SECONDS WEST A DISTANCE OF 58.91 FEET TO AN IRON STAKE; THENCE CONTINUING SOUTH 00 DEGREES 37 MINUTES 55 SECONDS WEST A DISTANCE OF 613.00 FEET TO AN IRON STAKE; THENCE WESTERLY ON A NON-TANGENTIAL CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 5979.65 FEET, A CENTRAL ANGLE OF 00 DEGREES 28 MINUTES 56 SECONDS, FOR A LENGTH OF 50.32 FEET TO AN IRON STAKE; THENCE NORTH 00 DEGREES 37 MINUTES 55 SECONDS EAST A DISTANCE OF 649.44 FEET TO AN IRON STAKE; THENCE CONTINUING NORTH 00 DEGREES 37 MINUTES 55 SECONDS EAST A DISTANCE OF 58.91 FEET TO SAID POINT OF BEGINNING.

SAID TRACT IS SUBJECT TO ROADWAY EASEMENTS AND ANY OTHER EASEMENTS OF RECORD, IF ANY.
