

PROPOSED RESOLUTION NO. 19-25

**A RESOLUTION ALLOWING THE WAIVER OF CHAPTER 152 SUBDIVISION
REQUIREMENTS AND RECORDING OF SUBDIVIDED PROPERTY
(Bethany Lutheran Church to City of Luverne)**

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 A

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 LUVERNE, MINNESOTA, this 12th day of August, 2025.

Patrick T. Baustian, Mayor

ATTEST: _____
Jill Wolf, City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF ROCK)

On this 12th day of August, 2025, personally appeared by means of an interactive two-way audio and video communication Patrick T. Baustian, Mayor, and Jill Wolf, City Administrator, City of Luverne, MN, who acknowledged this instrument and stated to my satisfaction that this person was the maker of the attached instrument, and executed this instrument on behalf of the company as his or her own act. This notarial act was performed using audio-video communication, pursuant to and in accordance with Minnesota Statutes 358 and 359.

Notary Public

Drafted By:
Jessica Mead
City Clerk
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Luverne, MN 56156
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