

PROPOSED RESOLUTION NO. 30-26

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

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

Parcel A

Parcel #07-0145-000

That part of the Southwest Quarter (SW1/4) of Section Seven (7), in Township One Hundred Two (102) North, of Range Forty-four (44) West, of the 5th P.M., lying North of the Chicago, St. Paul, Minneapolis and Omaha Railroad Company right of way (now Buffalo Ridge Regional Railroad Authority), and lying South of the center line of County State Aid Highway No. 4, (formerly U.S. Trunk Highway No. 16), which tract is described by metes and bounds as follows: Beginning at a point where the North line of said railroad right of way intersects the West line of the Southwest Quarter of Section 7, thence Northerly 1288.0 feet along the West line of the SW1/4 to the Northwest corner of said SW1/4, thence Easterly along the quarter line between the SW1/4 and the NW1/4 of said Section 7 to a point where the center line of County State Aid Highway No. 4 intersects that quarter line, thence Southeasterly along the center line of County State Aid Highway No. 4 to a point where said center line intersects the quarter line between the SW1/4 and the SE1/4 of Section 7, thence Southerly along said quarter line 50 feet more or less to the North line of the right of way of the Chicago, St. Paul, Minneapolis and Omaha Railroad Company, thence Westerly along the said railroad right of way to the point of beginning.

AND EXCEPT the following described tract: Commencing at the point where the North right-of-way of the Chicago and Northwestern Railroad intersects the West line of Section 7, Township 102, Range 44, thence North along the West line of said Section 7, 202.3 feet to the point of beginning. Thence North along the West line of said Section 7, 1085.7 feet to the West one-quarter corner of said Section 7; thence East along the West one-quarter line of said Section 7, 197.3 feet, to the centerline of Rock County Highway No. 4 as improved; thence turning right 18°25'41", tangent to a 1909.86' radius curve, concave Southerly and identical with the center line of Rock County Highway No. 4 as improved, and proceeding along this curve 647.9 feet; thence along the center line of Rock County Highway No. 4 as improved, tangent to the preceding curve, 91.6 feet; thence turning right 58°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°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, 307.8 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, said excepted tract containing 18.62 acres, and subject to road easements on the North and West sides thereof, if any;

AND EXCEPT the following described tract: Commencing at a point 202.3 feet North of the intersection of the North right-of-way line of the Chicago & Northwestern Railroad and the West line of Section 7, in Township 102 North, of Range 44 West, of the 5th P.M., as the point of beginning; thence South along the West line of Section 7, 202.3 feet; thence East along the Chicago & Northwestern Railroad right-of-way 405 feet; thence North along a line parallel with the West line of Section 7, 200 feet; thence Westerly approximately 398 feet to the point of beginning.

AND EXCEPT the following described tract: All that part of the NE1/4 of the SW1/4 of Section 7, Township 102 North of Range 44 West described as follows: Commencing at the point of intersection of the Easterly boundary of said SW1/4 of Section 7 and the main track of the center line of the Buffalo Ridge Regional Railroad Authority (formerly Chicago, St. Paul, Minneapolis and Omaha Railroad Company), main track center line as now located and established over and across the said SW1/4 of Section 7; thence run Northwesterly along the main track center line for a distance of 845 feet; thence deflect to the right at an angle of 90° in a Northerly direction for a distance of 50 feet to the point of beginning; thence continuing Northerly on said projection to the center line of County State Aid No. 4, formerly U.S. Trunk Highway No. 16; thence Southeasterly along the center line of County State Aid Highway No. 4 to a point where said center line intersects the quarter line between the SW1/4 and the SE1/4 of Section 7; thence Southerly along said quarter line 50 feet more or less to the North line of the right of way of the Buffalo Ridge Regional Railroad Authority (formerly Chicago, St. Paul, Minneapolis and Omaha Railroad Company); thence Westerly along the North line of said railroad right of way to the point of beginning, containing 0.9 acres more or less.

AND EXCEPT the following described tract: That portion of the Southwest Quarter (SW1/4) of Section Seven (Sec. 7), Township 102 North, Range 44 West of the 5th P.M., Rock County, Minnesota, lying northerly of the northerly right-of-way line of the Buffalo Ridge Regional Railroad Authority (BRRRA) described as follows: Commencing at the West Quarter Corner (W. 1/4 Cor.) of said Sec. 7; thence North 89 degrees 36 minutes 57 seconds East (assumed bearing) on the north line of said SW1/4 of Sec. 7 for a distance of 199.75 feet to the centerline of Rock County Highway Number Four (Hwy. No. 4) and to a point of intersection with a non-tangent curve, concave southwesterly, having a radius of 1909.86 feet and a central angle of 19 degrees 27 minutes 00 seconds; thence easterly along the centerline of said Hwy. No. 4 and along the arc of said curve to the right for a distance of 848.33 feet, said arc subtended by a chord which bears South 67 degrees 15 minutes 06 seconds East with a length of 845.23 feet, to the curve's end; thence South 57 degrees 31 minutes 36 seconds East along the center line of

EXHIBIT B

Exhibit B
Parcel B

LEGAL DESCRIPTION:

TRACT 3

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:

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 7; THENCE SOUTH 00 DEGREES 32 MINUTES 55 SECONDS WEST (GEODETIC BEARING) ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION A DISTANCE OF 1287.27 FEET TO THE NORTHERLY RIGHT OF WAY OF THE BUFFALO RIDGE REGIONAL RAILROAD AUTHORITY RIGHT OF WAY; THENCE NORTH 82 DEGREES 03 MINUTES 26 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY A DISTANCE OF 405.00 FEET TO SAID POINT OF BEGINNING; THENCE CONTINUING NORTH 82 DEGREES 03 MINUTES 26 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY A DISTANCE OF 281.34 FEET; THENCE EASTERLY ALONG SAID NORTHERLY RIGHT OF WAY ON A NON-TANGENTIAL CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 5779.65 FEET, A CENTRAL ANGLE OF 1 DEGREE 38 MINUTES 47 SECONDS EAST A LENGTH OF 162.71 FEET TO AN IRON STAKE; THENCE NORTH 00 DEGREES 37 MINUTES 55 SECONDS EAST A DISTANCE OF 201.31 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 1 DEGREE 50 MINUTES 35 SECONDS FOR A LENGTH OF 192.35 FEET; THENCE SOUTH 81 DEGREES 30 MINUTES 55 SECONDS WEST A DISTANCE OF 231.82 FEET TO AN IRON STAKE; THENCE SOUTH 00 DEGREES 32 MINUTES 55 SECONDS WEST A DISTANCE OF 200.00 FEET TO SAID POINT OF BEGINNING.

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