

PROPOSED RESOLUTION NO. 8-26

**A RESOLUTION ALLOWING THE WAIVER OF CHAPTER 152 SUBDIVISION
REQUIREMENTS AND RECORDING OF SUBDIVIDED PROPERTY
(Brett & Wendy Stegenga Living Trust to Comex Holdings, 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 17th DAY OF February, 2026.

Patrick T. Baustian, Mayor

ATTESTED:

Jill Wolf, City Administrator

EXHIBIT A

PARCEL A

The Northwest Quarter (NW1/4) and all that part of the Southwest Quarter (SW1/4) lying North of the Worthington and Sioux Falls Railroad right-of-way, all in Section Seventeen (17), Township One Hundred Two (102) North, Range Forty-five (45) West of the 5th P.M., Rock County, Minnesota, except for a Tract therein described as follows:

Commencing at the Northwest corner of Section Seventeen (17); thence South 00 degrees 02 minutes 07 seconds West (Geodetic Bearing) along the West line of the Northwest Quarter of said Section a distance of 402.38 feet to the point of beginning; thence continuing South 00 degrees 02 minutes 07 seconds West along said West line a distance of 612.05 feet; thence South 89 degrees 56 minutes 00 seconds East a distance of 40.00 feet to an iron stake; thence continuing South 89 degrees 56 minutes 00 seconds East a distance of 339.77 feet to an iron stake; thence North 00 degrees 09 minutes 05 seconds East a distance of 613.00 feet to an iron stake; thence South 89 degrees 55 minutes 27 seconds West a distance of 341.02 feet to an iron stake; thence continuing South 89 degrees 55 minutes 27 seconds West a distance of 40.00 feet to said point of beginning. Subject to easements of record, if any.

EXHIBIT B

PARCEL B

A Tract in the Northwest Quarter (NW1/4) of Section Seventeen (17), Township One Hundred Two (102) North, Range Forty-five (45) West of the 5th P.M., Rock County, Minnesota, described as follows: Commencing at the Northwest corner of said Northwest Quarter (NW1/4); thence South 00 degrees 02 Minutes 07 Seconds West along the West line of said Northwest Quarter (NW1/4) a distance of 1,858.93 feet to the point of beginning; thence continuing South 00 degrees 02 Minutes 07 Seconds West along the West line of said Northwest Quarter (NW1/4) a distance of 363 feet; thence East and parallel to the North line of said Northwest Quarter (NW1/4) a distance of 480 feet; thence North and parallel to the West line of said Northwest Quarter (NW1/4) a distance of 363 feet; thence West a distance of 480 feet to the point of beginning.
