



CITY OF EDEN PRAIRIE

Combination/Subdivision or Lot Line Adjustment Administrative Review Application 2024

Email Completed Application Form to planning@edenprairie.org to begin process

<p>PROJECT</p>	<p>Please check the appropriate box for which application is being applied for</p> <p><input type="checkbox"/> Administrative Combination <input type="checkbox"/> Administrative Subdivision</p> <p><input type="checkbox"/> Lot Line Adjustment</p> <p>A combination, subdivision, or lot line adjustment through City Code Section 12.02, Subd. 1 administrative approval does NOT result in any documents being recorded against the property records with the County Recorder/Registrar of Titles. You will need to contact the County Recorder/Registrar of Titles to ensure the appropriate property records are recorded.</p> <p><i>NOTE: It is important to keep all lenders or mortgagees aware that you are dividing, combining, or adjusting real property. Please consult your mortgage company as to whether or not they need to issue an amendment to, or a partial release of, any mortgage or other encumbrance of the affected real property as a foreclosure of the affected real property can undo any previously approved division, combination, or adjustment.</i></p> <p>Brief Description of Project: _____</p> <p>_____</p> <p>_____</p>
<p>APPLICANT INFORMATION **Applicant information will be used as the main point of contact in ProjectDox**</p>	<p>Applicant: _____</p> <p>Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone: _____</p> <p>E-Mail: _____</p>

FEE OWNER INFORMATION	Fee Owner: _____ Address: _____ City/State/Zip: _____ Phone: _____ E-Mail: _____			
PARCEL(S) TO BE COMBINED OR SUBDIVIDED	PID: _____ Address: _____ PID: _____ Address: _____ PID: _____ Address: _____			
PROPERTY TYPE <small>Property type information can be found here using an address search: https://gis.hennepin.us/Property/Map/Default.aspx</small>	<input type="checkbox"/> Abstract - Title work OR Owner and Encumbrance Report completed within the previous 6 months <input type="checkbox"/> Torrens - Title work completed within the previous 6 months OR City can obtain documentation and will subtract costs from the Development Deposit			
REQUIRED SUBMITTAL MATERIALS	<ul style="list-style-type: none"> • Survey of current parcel(s) and survey of proposed parcel(s) • Narrative including a brief explanation of request • Legal description of current parcel(s) and legal description of proposed parcel(s) • County Parcel Division or Combination Request Form • <i>For Subdivisions Only:</i> Tree Survey showing the size, species, condition, and location of all Heritage Trees and Significant Trees on the parcel being subdivided. 			
FEES	Administration Subdivision / Combination Lot Line Adjustment DEV. DEPOSIT	\$ 200.00 \$145.00 \$1,000.00	TOTAL AMOUNT DUE	\$
REQUIRED SIGNATURES	The undersigned certifies that they are familiar with the procedural requirements of Chapter 12 of the City Code, fees, and City ordinances. _____ Applicant _____ Date _____ _____ Property Owner (if different than applicant) _____ Date _____			

CITY OF EDEN PRAIRIE

DEPOSIT AGREEMENT

THIS AGREEMENT is made and entered into on the _____ day of _____, 20____, by

_____.

("Applicant") for the benefit of the City of Eden Prairie, a Minnesota Municipal corporation ("City"). **WHEREAS**, Applicant has applied to City for the following approval(s) or action(s)

- a.
- b.
- c.
- d.
- e.

(the "Requested Approval"); and,

WHEREAS, in conjunction with City's review of the Requested Approval, City may incur costs, including administrative, planning, engineering, and other consulting costs, and City requires a guaranty that such costs will be paid by Applicant; and

WHEREAS, Applicant acknowledges the receipt of a benefit from City's review of the Requested Approval and from City's Review Costs;

NOW, THEREFORE, Applicant agrees as follows for the benefit of the City:

1. Deposit. Applicant has made the following deposits required for the Requested Approvals, consistent with Resolution 93-6 (all such deposits hereafter collectively referred to as the "Deposit Funds"):

<u>Requested Approval</u>	<u>Amount</u>
a. _____	a. _____
b. _____	b. _____
c. _____	c. _____
d. _____	d. _____
e. _____	e. _____

2. Use of Deposit Funds. City may, at any time, draw upon the Deposit Funds to pay Review Costs for the Requested Approvals. City shall determine the Review Costs based upon the rates listed in the most current fee schedule adopted by the Eden Prairie City Council.

The fee schedule is subject to change by the City Council, without notice to the Applicant.

3. Conditions of Deposit. The following conditions shall apply to the Deposit Funds:

a. Administrative hourly rates for processing applications shall be charged at a flat rate of \$100.00 per hour.

b. Payment shall be made to City consultants, including but not limited to, engineering, legal and planning, in the amounts actually billed, according to the customary consulting rates in effect at that time. Such consulting services or costs shall reasonably and

necessarily relate to the subject matter of the Requested Approval, as determined by City in its sole discretion.

c. Payment shall be made to cover costs relating to public hearing mailings.

d. City shall not be responsible for paying any interest on the Deposit Funds.

e. If in the discretion of City, there is deemed to be an inadequate balance in Applicant's deposit account to pay for all the Review Costs incurred or to be incurred by City, City will notify Applicant of the need for additional Deposit Funds. Applicant agrees to make such additional deposits within ten (10) days of mailing of such notice.

f. No Requested Approval will be acted upon or processed by any City personnel until all Deposit Funds due at the time of original submission, or which thereafter become due pursuant to subparagraph 3.d., have been paid in full.

4. Positive Balances in Account. In the event there is a positive balance in the deposit account and there is (a) completion of the development process, either in the form of final approval or final denial of the Requested Approvals, or (b) an application is withdrawn, in writing, by Applicant, then the balance shall be paid to Applicant within ninety (90) days of receipt by City of a written request by Applicant for payment.

5. Accounting. Upon Request by Applicant, City will provide an accounting of all expenses charged against the account, but in no event more often than once every 30 days. An accounting will be provided when City notifies Applicant of a requirement for additional deposits and when the account is closed.

6. Application Fees. Applicant understands and agrees that the Review Costs and Deposit Funds are in addition to, and not in lieu of, City application fees.

7. Breach. In the event of breach of any terms of this Agreement by Applicant, City may, at its option, cease processing any Requested Approval which has been submitted by Applicant to cease any

further development or work on any project to which the Requested Approval relates. Applicant shall be responsible for all costs and expenses, including attorney's and expert's fees and costs, incurred by City to enforce this Agreement or to collect any monies due to City from Applicant pursuant to this Agreement.

8. Validity. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Agreement.

9. Amendments. No amendment or change of any kind to this Agreement shall be valid unless made in writing and with the consent of the City.

10 Binding Agreement. Applicant recognizes and agrees that all terms and conditions of this Agreement shall be binding upon the heirs, successors, administrators, and assigns of Applicant.

IN WITNESS WHEREOF, the Applicant has caused these presents to be executed as of the day and year aforesaid.

APPLICANT

By: _____

Its _____

STATE OF MINNESOTA)

)ss.

COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024,
by _____, the _____ of _____,
a Minnesota _____, on behalf of the _____.

Notary Public

INSTRUCTIONS

As described in City Code Section 12.02, Subd. 1, administrative approval of combinations/subdivisions, may be appropriate as follows:

1. For a subdivision, the division will not result in more than two parcels; for a combination, the combination will not result in more than one parcel;
2. The subdivision or combination will not cause any structure to be in violation of the Zoning Chapter or any other provision of the City Code;
3. The resulting parcel(s) generally conform to the shape and area of existing or anticipated land subdivisions in the surrounding areas;
4. The owners of land contiguous to the parcel(s) being divided or combined file no written objections within ten days following written notification to them or otherwise indicate in writing that they have no objections; **and**
5. No public improvements or dedications of right of way are required.

The City Code Section 12.02, Subd. 1 administrative approval process does **NOT** result in documents being recorded against the property records with the County Recorder/Registrar of Titles. If the applicant desires to have the property records updated the applicant will need to record a deed or other documentation with the County Recorder/Registrar of Titles.

Process

1. **Development Deposit.** Complete, signed, and notarized Development Deposit Escrow is required for Administrative Review of Combination/Subdivision Application. Any unused portion of the escrow will be returned to the Applicant upon final approvals.
2. **Application Package.** A complete and signed application form shall be submitted via ProjectDox to the Planning Division along with the required submittal materials and deposit fees. Once a complete application package is received, staff in the Planning, Engineering and Building Inspections Divisions will review the application package. Staff will work to complete the review within a reasonable timeframe. Upon City's receipt of a complete application package, the 120 day review period for action on a combination/subdivision request begins. If there are other approvals requested, the 60 day time period under Minn. Stat. Section 15.99 will begin to run as well.
3. **Notice.** Written notice shall be provided to owners of contiguous parcels by the City.
4. **Review.** Staff shall review the application package for compliance with State Statute and City Code. Staff will consider if conditions are necessary including but not limited to:
 - A. Provision of wetland buffers, trail, sidewalk, conservation, and utility and drainage easements and responsibility for the cost of filing and recording written easements with the County Recorder's or Registrar of Title's office as applicable
 - B. Vacation of easements no longer required as determined by the City Engineer; and/or
 - C. Payment of parkland dedication fees for each lot created, except when the fees have been previously paid for the lot created by the subdivision under the Section.
5. **Approval/Denial.** Administrative approval is completed by the Planning, Engineering and Building Inspections Divisions. Denial shall be in writing and include the reasons for denial.

6. **County.** If approved by the City, the applicant will receive an email indicating that the documents have been approved. The applicant will be able to download/print documents and will need to provide the following documents to the County for recording:
 - A. County Parcel Division or Combination Request Form
 - B. City Consent Letter to Parcel ID and Platting Supervisor of County
 - C. Existing and proposed surveys
 - D. Existing and proposed legal descriptions.