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Certified, Filed and or Recorded on  
MAR. 23, 2007 AT 08:30AM

Signed: BW  
MARILYN J NOVAK G V I  
BENTON COUNTY MINNESOTA  
MARILYN J NOVAK  
COUNTY RECORDER

BENTON COUNTY ORDINANCE NO. 409

**AN ORDINANCE AMENDING THE OFFICIAL BENTON COUNTY ZONING MAP**

WHEREAS, an application has been made pursuant to Sections 11.8 and 7.13.1 of the Benton County Development Code to rezone the property described herein from Planned Unit Development District to R-3 Single Family and Multiple Dwelling Residence District; and,

WHEREAS, the applicant, and owner of the subject property, Vista Land Company, LLP, has submitted a development plan for the subject property, which is attached hereto and incorporated herein by reference; and,

WHEREAS, public hearings regarding said proposal have been conducted by the Benton County Planning Commission and the Benton County Board of Commissioners on March 8, 2007 and March 20, 2007; and,

WHEREAS, the Benton County Board of Commissioners find that the rezoning of the property described herein comports with the Benton County Comprehensive Land Use Plan and is appropriate.

NOW, THEREFORE, pursuant to Sections 11.8 and 7.13.1 of the Benton County Development Code, the official Benton County Zoning Map is hereby amended to reflect that the following described property is zoned R-3:

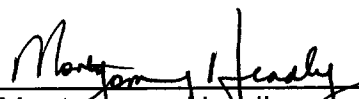
See attached Exhibit A

AND a part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 15, Watab Township, Benton County, Minnesota. (Full legal available for review in the County Recorder's Office)

Upon enactment, this ordinance shall be effective upon the date of its publication as provided by law.

  
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Richard J. Soyka, Chair  
Benton County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Montgomery Headley  
Benton County Administrator

## Paradise Legal Description

The North Half of the Northeast Quarter (N1/2 NE1/4) excepting however from the West half of said Northeast Quarter (W1/2 NE1/4) of Section Twenty-two (22), that part or parcel thereof conveyed to Northern Pacific Railway Company by deed dated April 1, 1910, and recorded in the Office of the County Recorder of Benton County Minnesota. in Book 48 of Deeds, page 384, such exception containing 20.57 Acres, and less and except that part which lies westerly of the westerly right of way line of Burlington Northern Railroad and right of way of Burlington Northern Railroad which lies Westerly of the East Water's edge of Little Rock Creek. Together with the North 33 feet and the East 18 feet of said NE1/4 NE1/4.

And the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) all in Section Twenty-two (22) in Township Thirty-seven (37) North of Range Thirty-one (31) less and except that part which lies westerly of the westerly right of way line of Burlington Northern Railroad and the right of way of Burlington Railroad, and less and except that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-two (22) Township Thirty-seven (37) North, Range Thirty-one (31) West, described as follows: Commencing at the North Quarter corner of said Section Twenty-two (22), thence South on an assumed bearing along the west line of said Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4), 2158.26 feet to the point of beginning of the tract to be described, thence at right angles 233.00 feet, thence south paralleled with the west line of said Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 283.50 feet, thence South 80 degrees 20 minutes West, 230.36 feet to the west line of said Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) thence North along said West line, 322.19 feet to the point of beginning. Containing 1.5 Acres more or less, subject to Township Road right-of-way and easement to used with others for the purpose of ingress and egress over the North 33 feet thereof.

Lot One (1), Block Four (4), of CIRCLE PINE ACRES, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for said Benton County, Minnesota.

AND

That part of the Southeast Quarter of the Southeast Quarter of Section 15, Township 37 North, Range 31 West of the 4th Principal Meridian, Watab Township, Benton County, Minnesota, described as follows:

Beginning at the southeast corner of Lot 1, Block 4, CIRCLE FINE ACRES, according to the recorded plat thereof; thence North 00 degrees 36 minutes 40 seconds West, plat bearing, along the east line of said Block 4, a distance of 214.32 feet, to the northeast corner of said Block 4, also being a point on the southerly right-of-way line of Channel Drive, as platted in said CIRCLE PINE ACRES; thence North 78 degrees 00 minutes 00 seconds East, along said southerly right-of-way line, a distance of 76.57 feet; thence South 57 degrees 05 minutes 00 seconds East, along the southerly right-of-way line of a 33 foot public road as platted in HARRIS'S CHANNEL RANCH, according to the

recorded plat thereof, a distance of 105.83 feet; thence South 08 degrees 14 minutes 00 seconds West, along the westerly right-of-way line of a 33 foot public road as platted in said HARRIS'S CHANNEL RANCH, a distance of 173.05 feet, to the south line of said Southeast Quarter of the Southeast Quarter; thence South 89 degrees 23 minutes 20 seconds West, along said south line, a distance of 136.68 feet, to the point of beginning.