

**EUREKA TOWNSHIP
DAKOTA COUNTY, MINNESOTA**

NOTICE OF SPECIAL TOWN BOARD MEETING

**FOR THE PURPOSE OF DISCUSSING LITIGATION, COMPREHENSIVE PLAN
RECOMMENDATIONS, ORDERLY ANNEXATION AGREEMENTS AND 220TH
SHARED ROAD WITH FARMINGTON.**

NOTICE IS HEREBY GIVEN that the Town Board of Eureka Township will hold a special meeting at 1:00 p.m. on Tuesday, April 29, 2025, at the Eureka Town Hall, 25043 Cedar Ave., Farmington, MN for the following purposes:

1. Conduct a closed session to have an attorney-client privileged discussion with the Town Attorney pursuant to Minn. Stat. § 13D.05, subd. 3(b) regarding the zoning enforcement litigation in the matter of Heyda Case No. 19HA-CV-24-2711
2. Open Session:
 - a. Resolution Approving Settlement Agreement between Eureka Township and Daniel and Jamie Heyda.
 - b. Comprehensive Plan Recommendations
 - c. Orderly Annexation Agreements
 - d. Farmington- 220th Shared Road Proposed agreement

Posted on: April 25, 2025.

Liz Atwater
Town Clerk

POSTING NOTICE

EUREKA TOWNSHIP

Dakota County, State of Minnesota

AGENDA

SPECIAL TOWN BOARD MEETING

April 29, 2025 – 1:00 p.m.

- I. Call to Order
- II. Purpose of the Special Meeting is to discuss litigation, comprehensive plan recommendations, orderly annexation agreements and 220th shared road with Farmington.
- III. Closed session pursuant to Minn. Stat. § 13D.05, subd. 3(b) to have an attorney-client discussion regarding the zoning enforcement litigation in the matter of Heyda Case no: 19HA-CV-24-2711
- IV. Open Session:
 - A. Resolution Approving Settlement Agreement between Eureka Township and Daniel and Jamie Heyda. **Page 3-5**
 - B. Comprehensive Plan Recommendations **Page 6-15**
 - C. Orderly Annexation Agreements
 - D. Farmington- 220th Shared Road Proposed Agreement **Page 16-20**
- V. Adjournment

Liz Atwater, Clerk
Eureka Township
Posting Date: 4.25.2025

**EUREKA TOWNSHIP
DAKOTA COUNTY, MINNESOTA
Resolution No. _____**

**RESOLUTION APPROVING A SETTLEMENT AGREEMENT
AND ABATEMENT AGREEMENT IN THE MATTER OF
EUREKA TOWNSHIP V. DANIEL HEYDA AND JAMIE HEYDA**

WHEREAS, the Town Board initiated an enforcement action against Daniel and Jamie Heyda (“Owners”) regarding zoning violations existing on their property located at 9390 267th Street W, Lakeville, Minnesota 55044 (Property Identification Number 13-02900-57-020) (the “Property”); and

WHEREAS, the Town’s attorney negotiated a settlement with the Owners and their attorney that resulted in both a Settlement Agreement and Abatement Agreement being drafted to resolve the current dispute between the parties relating to the zoning violations on the Property; and

WHEREAS, the Settlement Agreement and the Abatement Agreement provides for, among other things, the removal and eradication of the ordinance violations on the Property within a specified time period; and

WHEREAS, the Town’s attorney recommends that the Town Board ratify and approve the Settlement Agreement and the Abatement Agreement as together as they set out a reasonable means of addressing and correcting the violations that led to the Town initiating the enforcement action.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board as follows:

1. The Settlement Agreement and Abatement Agreement presented to the Town Board in the matter of *Eureka Township v. Daniel J. Heyda and Jamie Heyda.*, Court File No. 19HA-CV-24-2711 is hereby ratified and approved in their entirety.
2. The Town Clerk shall provide the Town’s attorney an executed copy of this Resolution as well as an executed copies of both the Settlement Agreement and Abatement Agreement for delivery to the Owners’ attorney and the Court.
3. The Town Chairperson and the Town Clerk are hereby authorized to work with the Town’s attorney, to take such additional actions, and to execute such additional documents as may be needed to carry out the intent of this Resolution.

Adopted this 29th day of April, 2025.

BY THE TOWN BOARD

Town Chairperson

Attest: _____
Town Clerk

EXHIBIT A
Settlement Agreement

(attached hereto)

April 24, 2025

Planning Memorandum

BACKGROUND

Staff has been preparing materials related to a proposed Comprehensive Plan Amendment to allow the Township to establish a Commercial-Industrial zoning district and to allow areas where different residential densities could be considered. The existing plan will need some edits to allow for these actions. A proposed map of the Commercial-Industrial area has also been prepared for initial review.

COMMERCIAL-INDUSTRIAL LAND USE

The current Comprehensive Plan does not allow for the establishment of a Commercial-Industrial designation. The proposed amendments would allow for this. Text justifying the location and types of uses has been prepared. There were existing land use policies that were moved into this section on Pages 3-11 and 3-12.

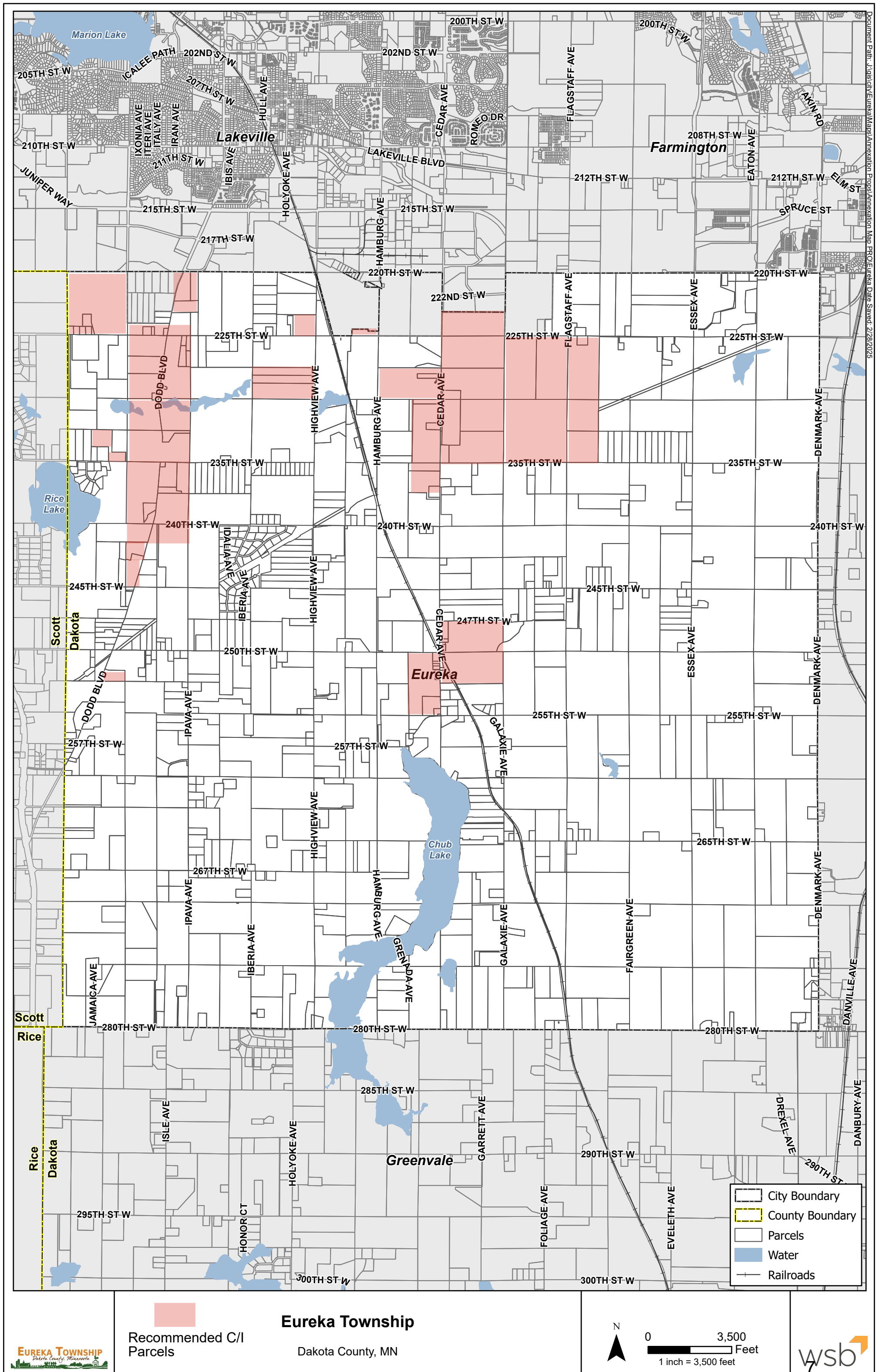
The map was updated to show areas where this land use could be placed. It was attempted to make this area as precise as possible, as to not give the appearance of excessive use of this land use designation. Too much commercial-industrial could be viewed as out of character with the Agricultural designation that the Town has to follow per the Met Council rules. A limited amount could be viewed as being compatible. The areas on the map could be changed, if desired. The idea was to keep the use off of gravel roads and near already established businesses.

RESIDENTIAL DENSITY

The current plan speaks of “one house per quarter quarter” in multiple places. This corresponds with the existing Town zoning. Changing this to 1 unit per 40 acres allows the Township to consider alternative density zoning in certain areas that can be defined through a Township zoning amendment process. This would allow for the Town to identify areas of 1 unit per 10 acre zoning in some limited areas. The transfer of development rights program is still listed in the plan but could be modified, if desired.

SUMMARY/ACTION REQUESTED

The Town Board should review the attached modifications and determine if this approach is still desired. If so, the materials will be prepared for Planning Commission review.



Regional Setting

Location

Eureka Township is located in the southwestern corner of Dakota County, Minnesota, on the fringe of suburban development in the Minneapolis-St. Paul metropolitan region. Eureka Township includes nearly thirty-six square miles, an area established through the U.S. Public Land Survey System (PLSS). The PLSS was a method used to survey lands in the Midwest and Western United States during the mid-1800s.

Unlike many townships in the metropolitan region which have had boundary changes over the years as nearby cities annexed land, Eureka Township's political boundaries largely remain along the PLSS boundaries.

Regional Planning Designation

Thrive MSP designates Eureka Township as an Agricultural community (Figure 1). Agricultural communities include areas with prime agricultural soils that are planned and zoned for long-term agricultural use. Regional policies expect Agricultural communities to limit residential development and adopt zoning ordinances and land use controls to maintain residential densities no greater than 1 housing unit per 40 acres on average. Agricultural communities are expected to manage land uses to prevent the premature demand of extension of urban services, so that existing service levels will meet demands.

Eureka Township's Zoning Ordinance limits density to one single-family dwelling unit per each quarter-quarter-section 40 acres, except for areas of the Township where the zoning designation allows for greater density. In no case will the average density of the Township exceed one dwelling unit per 40 acres. The Township has adopted this density standard to be consistent with its classification as an Agricultural community and to preserve eligibility for the Agricultural Preserves program for parcels in the Agriculture District.

The Agricultural community designation is consistent with the Township's Strategic Vision, Zoning Ordinance and its goals and policies included in this 2040 Comprehensive Plan Update.

Eureka Township is strategically positioned to serve the growing demand for local agricultural products.

- Eureka's convenient location within the metropolitan region is a natural fit for the local foods movement.
- The Township has a diversity of farms already growing food for Twin Cities' farmers' markets and grocery stores.
- As the metropolitan area becomes more culturally diverse, farmers from immigrant communities are introducing their cultures' farming methods, crops, and markets. This diversity in farming contributes to Eureka Township's agricultural character.
- Nurseries are growing trees and other landscaping materials, serving local as well as wider markets.



Eureka's location at the edge of the metropolitan region presents challenges as well as assets for farmers. Potential barriers for farmers of small scale and large scale operations alike include:

- High land and housing costs for new-entry farmers
- Active farmers reaching retirement age without a "next generation" farmer to take over the farm
- Lack of nearby processing facilities and farm-related services
- Lack of housing for seasonal workers and intern/apprentice housing
- Limited options for sale of products within Eureka Township (roadside stands or local market)
- Conflicts between agricultural and residential land uses.

The Township seeks to support farms as viable businesses in Eureka Township, while also protecting the general health, safety and welfare of the community. The Township's land use regulatory authority can be used to help farmers capitalize on opportunities and overcome challenges. **At the foundation of the Township's endorsement of farming is the agricultural zoning of one dwelling unit per 40 acres quarter-quarter section.** As changes in the agricultural industry unfold, the Township will examine its policies and ordinances to avoid unintended or overly-burdensome restrictions that hinder the economic viability of farming.

Animal feedlots are part of Eureka Township's agricultural base and contribute to the continued economic viability of agriculture in the Township. The Township plans to continue to allow for animal feedlots in Eureka while ensuring that feedlots are properly managed to protect public health and to maintain compatible land use relationships. Eureka Township's Zoning Ordinance contains standards for feedlot operations, including setbacks and animal waste management practices.

1. Maintain Eureka Township's agricultural zoning of one housing unit per quarter-quarter-section40 acres.
2. Continue to support the Right to Farm when using generally accepted agricultural practices. The Township recognizes that with farming come smell, noise, dust, and slow-moving vehicles.
3. Limit the subdivision of the Township's farmland for housing and other non-farm land uses. Allow limited non-farm development provided that the impact on other land uses is minimized.
4. Provide information to residents of the potential conflicts or incompatibilities that can arise between development and agricultural uses.
5. Provide for adequate separation of new non-farm houses from existing confined animal feedlots or manure storage facilities.
6. Use local ordinances to support the commercial viability of farming.
7. Work with County and State officials to improve programs that assess farmland at a lower tax rate.
8. Encourage enrollment in farmland preservation programs.
9. Encourage units of government, institutions, or other entities doing business in Eureka Township to consider local agricultural products when making purchasing decisions.
10. Be receptive to adjusting local ordinances so that local farms can adapt to new trends in farming.
11. Avoid fragmentation of farmland in order to support a "critical mass" of farms, making farming activity more viable in the Township through the zoning ordinance requirement for a minimum of one single-family dwelling unit per each quarter- quarter section.
12. Utilize Township Ordinances to properly manage animal feedlots in order to protect public health and to maintain compatible land use relationships.

Cultural Resources Goal

1. Encourage the preservation of historic sites, including structures that contribute to the rural character of the Township.

Policies

To achieve this goal, the Township will:

1. Encourage private owners to restore historically significant buildings.
2. Encourage the preservation and/or rehabilitation of structures that contribute to the rural character of the Township, such as barns and silos.

Agriculture Land Use, Zoning, and Permitted Uses

The Township's land use goals and policies place priority on protecting its rural and agricultural character and promoting the economic viability of farming operations in the Township. The Land Use Plan guides the long-term land use in Eureka to continue as Agriculture through 2040. The goals and policies in the Natural, Agricultural and Cultural Resources chapter are consistent with the goals and policies for Land Use.

All of Eureka Township is included in the Agriculture Zoning District identified in its Zoning Ordinance, and consistent with the Land Use Plan adopted in the 2030 Comprehensive Plan and proposed for the 2040 Plan. The district allows the following uses: all forms of commercial agriculture and horticulture; farm buildings, accessory structures, and drainage systems; forestry, grazing and gardening; public natural areas and parks, recreation areas and preserves; single-family residential units and accessory structures; historic structures; home occupations; and private dog kennels. Uses permitted with a Conditional Use Permit include: churches, cemeteries, airports, schools, local government facilities and other government-owned facilities; agriculture service buildings, public utilities, Wind Energy Conversion Systems (WECS), wireless communication towers and facilities. Uses permitted with an interim use permit include: mining and extraction operations, airstrips, and automotive graveyards that comply with the ordinance.

Residential Land Use

Density

Eureka Township is designated as an Agricultural Area for regional planning purposes by the Metropolitan Council. Regional policy includes guidance that the Agricultural areas should develop at a density of no greater than one dwelling unit per 40 acres. Eureka Township's 2040 Land Use Plan and agricultural zoning of one dwelling unit per quarter-quarter section 40 acres, except for areas of the Township where the zoning designation allows for greater density. With the stipulation that in no case will the average density of the Township exceed one dwelling unit per 40 acres, is consistent with this policy.

It is important to note that there are residential lots in Eureka Township that were created before the one unit per quarter-quarter 40 acres zoning restriction came into effect. Some of these lots have existing housing units while others do not. The Township and Metropolitan Council have recognized that there are lots of record in Eureka Township that do not meet the density standards of today's zoning ordinance, but that such lots may still have grandfathered housing rights. The Township's zoning and land use policies support an average maximum density of one dwelling unit per quarter-quarter section 40 acres, and are which is consistent with Regional policies.

Regional Growth Forecasts-Township's Land Use Plan Consistent with Forecast Growth

Through its Strategic Vision process completed in 2007, the Township made considerable efforts to identify the number of unused housing rights in order to understand the Township's growth potential. The Strategic Vision report identified were approximately 280 unused housing rights available in the Township. The Housing Eligibilities Transfer Task Force (2013) completed a follow-up inventory, and found that there are at least 200 eligible housing rights remaining in the Township.

Commercial-Industrial Land Use

Eureka Township supports agricultural uses as the primary long-term land use within the community. The Town also seeks to permit agricultural-supportive land uses in this plan. To this end, the Town has identified areas where there are existing Commercial-Industrial businesses and areas that would allow for future businesses to be established.

Some Agricultural/Horticultural service establishments are now allowed in the Township with a Conditional Use Permit. Eureka Township will be establishing a Commercial-Industrial zoning district for the purpose of establishing new commercial-industrial businesses that are supportive of the agricultural nature of the Township and serve community needs.

The areas where commercial-industrial businesses may be located are depicted on the Future Land Use map. These areas were identified as properties near existing business uses and also along transportation corridors that can serve higher intensity uses. Uses that are within character of and serving the needs of the agricultural and residential nature of the community may be permitted by zoning within these areas. Such uses may include horticultural uses, agricultural processing, transportation, repair, storage, supportive sales, off-site service uses, and other similar types. Uses that require urban levels of services should not be located in these areas. Uses permitted by zoning should not be out of character with the nature of the vicinity.

If not utilized as a Commercial-Industrial use, these properties should continue to be used in a manner consistent with the Agricultural designation.

Commercial-industrial land use shall utilize the Commercial-Industrial Land Use Policies:

- a. The type and location of new commercial-industrial development should not substantially change the rural-agricultural character of the Township or jeopardize existing agricultural enterprises in the Township.
- b. New commercial-industrial development should occur in a manner that allows the Township to retain control over zoning and permitting, to include control over the type, size, and location of such businesses.
- c. New commercial-industrial development should minimize the conflict between commercial-industrial uses and other land uses.
- d. New commercial-industrial development should serve the needs of Eureka Township residents.
- e. New commercial-industrial development should be aesthetically pleasing. Strict performance standards must be created and enforced for building exteriors, parking, landscaping, ingress/egress routes, signage, screening/buffering, and other considerations.
- f. New commercial-industrial development must pay for the costs of its development, including public infrastructure necessary for the development.
- g. New commercial-industrial development must provide financial benefit to the Township through gained tax revenue.
- h. New commercial-industrial development should not have an adverse impact on the quality of life of Eureka residents. In determining quality of life impacts, such things as traffic

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congestion, noise, light pollution, objectionable odors, health risks, and safety risks should be considered.

i. New commercial-industrial development should not have an adverse impact on environmental quality. In determining environmental quality impacts, such things as air pollution, water quality, and wildlife habitat should be considered.

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Existing Provisions and Studies

Some Agricultural/Horticultural service establishments are now allowed in Eureka Township with a Conditional Use Permit. Eureka Township does not have a Commercial Industrial zoning district.

In 2011, Eureka Township convened a task force to consider the potential need to designate areas in the township for commercial and industrial uses. The Task Force completed a Market Study for commercial and industrial uses in the Township, completed a Township-wide survey of landowners to determine interest in zoning areas for those uses, and met with representatives of the Metropolitan Council to discuss regional policies and requirements for designation of new zoning districts. The Task Force findings and recommendations included the following:

- The Market Study found little interest in commercial and industrial development in the Township in the near term. This is due in part to the availability of over 300 acres of land that is ready for sale or lease for commercial and industrial development that has existing sewer and water services in nearby Lakeville and Farmington.
- The Township will need to identify its own "market niche" if it intends to compete for new commercial and industrial land uses with neighboring communities.
- The Task Force noted that the landowners that identified interest in potential development of new commercial and industrial uses are scattered throughout the Township. There is no concentration of interest that would allow identification of a potential zoning district for new commercial and industrial uses.
- Based on the study findings, the Task Force recommended that the Township not proceed at this time to identifying areas to zone for commercial and industrial development. The Task Force recommended that this could be studied in the future as market conditions and interests change.

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Aggregate Extraction

Aggregate resources are part of Eureka Township's natural resource base, and are discussed in the Natural Resources section of the Comprehensive Plan (Chapter 2). The general location of the aggregate resources in the Township is identified on the 2040 Land Use Map. Mining of aggregate is allowed in the Township with an Interim Use Permit. The Eureka Township Mining Ordinance provides the standards for mining operations.

Land use staging in areas with aggregate resources- to first consider the potential of an area for aggregate mining before urban development occurs - may become of greater importance in the future if the Township moves forward with planning for a future commercial-industrial area. Under the 2040 Land Use Plan and existing agricultural zoning, aggregate resources are adequately protected.

The Natural Resource Goals and Policies in Chapter 2, as well as the Land Use Goals and Policies
Land Use

Page 3-12

Goals and Policies

The following goals and policies will guide local decision-making related to land use.

Land Use Goals

1. Allow land uses that will maintain Eureka Township's rural character.
2. Encourage protection of priority natural areas and natural resource corridors through local land use decisions.
3. Promote the continuation of agriculture as the primary land use.
4. Allow limited non-farm development provided that the negative impacts are minimized primarily within areas identified as Commercial-Industrial on the Land Use Map.
5. Maintain the geographic boundaries of the Township.
6. Provide for the economic availability, removal and processing of sand, gravel, and other aggregate materials vital to the economic well-being of the region.
7. Protect solar resources and permit and regulate development of accessory residential and agricultural solar energy systems in the Township.

Policies

To achieve these goals, the Township will:

1. Maintain Eureka Township's agricultural zoning of one housing unit per ~~quarter~~ ~~quarter section~~ 40 acres.
2. Discourage pipelines, power lines, and other utility uses which fragment the Township's agricultural land, natural resources, aggregate resources, or that would otherwise be in conflict with the goals of the Comprehensive Plan.
3. Maintain the Township's transfer of housing rights program to achieve the following goals:
 - a. The program should be useful in achieving the goals of the Comprehensive Plan.
 - b. The program should help relieve development pressure on large blocks of agricultural property.
 - c. The program should allow property owners to gain revenue by selling housing rights.
 - d. The program should be compatible with the Metropolitan Ag Preserves Program. Property owners should continue to have choices to use their land in ways that maintain eligibility in Ag Preserves.
 - e. The program should protect opportunities for efficient and cost-effective land development for a time when public sewer and water services may become available. Such opportunities include the creation of a suitable commercial/industrial area in the Township.

- f. The program should be understandable by citizens.
 - g. The program should respect landowners' rights to use their land in a way that does not significantly harm others' property nor the community's health, safety, welfare and morals.
 - h. Administration of the program should not create an undue burden on Township government.
4. Use Township Ordinances to minimize the visual and environmental impacts of development.
 5. Continue to allow agricultural/horticultural businesses and home occupations in a manner consistent with the Comprehensive Plan.
 6. Conduct thorough study before guiding land for commercial industrial use. Any future updates to the zoning ordinance that would affect commercial industrial land use shall utilize the Commercial Industrial Land Use Policies:
 - a. The type and location of new commercial industrial development should not substantially change the rural agricultural character of the Township or jeopardize existing agricultural enterprises in the Township.
 - b. New commercial industrial development should occur in a manner that allows the Township to retain control over zoning and permitting, to include control over the type, size, and location of such businesses.
 - c. New commercial industrial development should minimize the conflict between commercial industrial uses and other land uses.
 - d. New commercial industrial development should serve the needs of Eureka Township residents.
 - e. New commercial industrial development should be aesthetically pleasing. Strict performance standards must be created and enforced for building exteriors, parking, landscaping, ingress/egress routes, signage, screening/buffering, and other considerations.
 - f. New commercial industrial development must pay for the costs of its development, including public infrastructure necessary for the development.
 - g. New commercial industrial development must provide financial benefit to the Township through gained tax revenue.
 - h. New commercial industrial development should not have an adverse impact on the quality of life of Eureka residents. In determining quality of life impacts, such things as traffic congestion, noise, light pollution, objectionable odors, health risks, and safety risks should be considered.
 - i. New commercial industrial development should not have an adverse impact on environmental quality. In determining environmental quality impacts, such things as air pollution, water quality, and wildlife habitat should be considered.

RIGHT OF ENTRY AGREEMENT

THIS RIGHT OF ENTRY AGREEMENT (“Agreement”) is made this _____ day of _____, 2025, is by and between **EUREKA TOWNSHIP**, an organized township located in Dakota County, Minnesota (“Town”), as Grantor, and the **CITY OF FARMINGTON**, a Minnesota municipal corporation (“City”), as Grantee.

RECITALS

1. The Town and the City have a shared interest in 220th Street, west of Denmark Avenue, as a common boundary between the Town and the City; and
2. The City has a planned public project to install 10-inch sanitary sewer lines within the 220th Street roadbed; to install a 12-inch water trunk lines on the northern edge of the 220th Street roadbed; and to pave the portion of the 220th Street roadbed where the sanitary sewer and water trunk lines are to be installed, all in the general location depicted on **Exhibit A** (the “Project”); and
3. In order to complete the Project, the City desires to enter onto portion of the 220th Street roadbed that is controlled by the Town (the “Town Area”), for the purposes of construction and ongoing maintenance of the Project; and
4. All Project-related costs will be the sole responsibility of the City; and
5. The City agrees to extend sanitary sewer and water services, and laterals stubs, to properties on the south side of 220th Street as requested by the property owners and/or Town at no cost to the property owners and/or Town. Any connection to and use of these services and stubs will be subject to a separate Utility Connection Agreement between the City and Town.
6. The Town and the City are parties to that certain Joint Powers Agreement – Shared Road Maintenance Agreement effective as of October 15, 2018, which shall remain in full force and effect as applied to those areas outside of the Town Area that is affected by this Project.

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the Town and the City have agreed as follows:

1. **Right of Entry.** The Town authorizes the City or its assigns, employees, agents, or contractors to enter upon the Town Area without charge between the period of April 1, 2025, through November 1, 2025, or through the date of substantial completion of the Project, whichever is later, for the purpose of completing the construction of the Project. Upon substantial completion of the Project, the Town authorizes the City to enter upon the Town Area from time to time for the purpose of maintaining, repairing, or replacing the sanitary sewer and/or the water trunk lines, with reasonable prior notice to the Town of any such activity by the City. For purposes of the Town Area, maintenance shall include snow plowing and removal at the City’s sole cost, and as determined by the City’s snow plowing policy and procedures. The City’s right of entry following substantial completion shall be perpetual.

2. **Hold Harmless and Indemnification.** Subject to the statutory limits under Minnesota Statutes, Chapter 466, and other applicable law, the City shall indemnify and hold the Town harmless from claims, actions, damages, and costs, including reasonable attorney's fees, pertaining to personal injury and property damage caused by the negligent or willful misconduct of the City or its employees, agents, or contractors in engaging in the Project. The Town expressly acknowledges that the City shall have no obligation to indemnify and hold Grantor harmless from any claims, actions, or damages pertaining to soil, environmental, or other conditions of the Town Area, except to the extent arising solely from the negligent or willful misconduct of the City or its employees, agents, or contractors.

3. **Insurance.** During the term of this Agreement, the City agrees to maintain in full force and effect standard municipal liability coverage through the League of Minnesota Cities Insurance Trust.

4. **Scope of Right of Entry.** The grant of the right of entry to the City by the Town shall not confer any estate, title, or exclusive possessory rights in any part of the Town Area to the City or its assigns, employees, agents, or contractors.

5. **Notices.** All notices and demands required under this Agreement shall be in writing and shall be deemed given when personally delivered or sent by first class mail, addressed to the parties as follows:

Town: Eureka Township
25043 Cedar Avenue
Farmington, MN 55024
Attn: Eureka Township Clerk/Treasurer

City: City of Farmington
430 Third Street
Farmington, MN 55024
Attn: City Administrator

6. **Condition of the Town Area.** The City's activities will disturb the Property. Following conclusion of the Project within the Town Area, the City, at its sole expense, agrees to return the Town Area to a neat and safe condition, agrees not to make any improvements without the prior written approval of the Town, and agrees to restore the Property as described in this Agreement.

7. **Assignment.** The City may assign its rights under this Agreement to its contractors, subcontractors, or employees solely for the Project identified in this Agreement.

8. **Incorporation of Recitals and Exhibits.** The Recitals at the beginning of this Agreement, and the Exhibit attached to this Agreement, are each one true and correct, and are incorporated into and made part of this Agreement.

[signature page follows]

EUREKA TOWNSHIP

Peter Storlie, Town Board Chair

Liz Atwater, Clerk/Treasurer of Town Board

CITY OF FARMINGTON

Joshua Hoyt, Mayor

Lynn Gorski, City Administrator

DRAFTED BY:
Campbell Knutson, P.A.
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
Telephone: (651) 452-5000
AKLS

Exhibit A

Depiction of the Town Area

