

2060 Wayzata Blvd W



Doc No T4838325

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2/28/11 4:00 PM

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Deputy 26

Pkg ID 694841

Doc Name: Resolution

Document Recording Fee	\$46.00
Document Total	\$46.00

Existing Certs

New Certs

1329619

STATE OF MINNESOTA)
)
) ss
COUNTY OF HENNEPIN)

The undersigned, being duly qualified and appointed City Clerk of the City of Orono, Minnesota, certifies that I compared the foregoing resolution adopted at the meeting of the Orono City Council on October 20, 2005 with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such Administrative Assistant and the Corporate seal of the City this 10th day of January, 2011.


Monica Fadness
Monica A Fadness, Admin. Assistant
City of Orono



CITY of ORONO

RESOLUTION OF THE CITY COUNCIL
NO. 5585

A

A RESOLUTION APPROVING THE GENERAL CONCEPT PLAN FOR PROPERTY LOCATED AT 2060 WAYZATA BOULEVARD WEST FILE NO. 07-3250

WHEREAS, Amber Woods Office Center LLC, a Minnesota corporation, (hereinafter the "applicant") is owner of the property located at 2060 Wayzata Boulevard West within the City of Orono (hereinafter the "City") and legally described as follows:

Lot 1, Block 1, Orono Ambar, Hennepin County, Minnesota
(hereinafter the "property"); and

WHEREAS, the property is located in the Highway 12 Corridor Study Area for which the City has established special requirements for development per Municipal Code Section 78, Division 17; and

WHEREAS, the City of Orono Highway 12 Planned Unit Development (PUD) ordinance (Municipal Code Section 78, Article VI) requires a multiple step approval process for properties developing via the PUD process; the General Concept Plan approval stage is the first step in the process followed by the Development Plan approval stage; and

WHEREAS, the applicant has requested General Concept Plan Approval for Planned Unit Development of this 2.6 acre property. The intended use of the property is approximately 34,000 s.f. of office townhouses/condominiums located on 5 lots and one common lot to be known as Amber Woods Office Center; and

WHEREAS, the applicant is requesting to amend the existing Planned Unit Development Agreement No. 2A in effect on the property which approved a 25,000 s.f. professional office building in 2001, in order to develop the property in accordance with the office condominium plans submitted and attached to this Resolution as Exhibits A thru M, and

WHEREAS, the Orono City Council makes the following findings in regard to this application for PUD General Concept Plan approval:



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FINDINGS

1. This application was reviewed as Zoning File #07-3250.
2. The property is located in the B – 6 Highway Commercial District and is also zoned for Planned Unit Development (PUD) under the current Planned Unit Development Agreement No. 2A. The property consists of approximately 2.6 acres.
3. The proposed office condominium use would conform to the B – 6 Highway Commercial District zoning requirements and upon subdivision approval enable the property to develop under the Planned Unit Development process for multiple buildings.
4. The City has previously agreed to develop this property under Planned Unit Development Agreement No. 2A approved and executed in November of 2001. The PUD Agreement permitted a 25,000 s.f. building for use as professional offices. An amendment to the Agreement is required in order for the proposed 34,000 s.f. office condominium project to be constructed.
5. Other properties abutting or near the property are used for or planned for uses which are generally compatible with the proposed office use. North of the property is the single family residential neighborhood known as Sugarwoods, directly east is the Orono Woods senior housing building, and directly west is an existing B – 1, Retail Sales Business District which includes a retail strip mall and a welding shop. To the south across Highway 12 is the City of Long Lake.
6. The applicant has provided preliminary plans attached to this resolution as **Exhibit A**, prepared by Interspace-West, Inc. and **Exhibits B thru M** prepared by Loucks Associates, noted below, which the City Council finds are sufficient to indicate the intent of the developer and the potential impacts of the project.

Exhibit A - Building Elevations and Plan Views dated 1/16/07.

Exhibit B - Sheet C0-1 - Cover Sheet (2/8/07)

Exhibit C - Sheet C1-1 - Existing Conditions (2/8/07)

Exhibit D - Sheet C1-2 - Removal Plan (2/8/07)

Exhibit E - Sheet C2-1 - Site Plan (2/8/07)

Exhibit F - Sheet C3-1 - Overall Grading & Drainage Plan (West) (2/8/07)

Exhibit G - Sheet C3-2 - Grading & Drainage Plan (East) (2/8/07)



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Exhibit H - Sheet C3-3 - Storm Water Pollution Prevention & Stabilization Plan
(2/8/07)

Exhibit I - Sheet C4-1 - Utility Plan (2/8/07)

Exhibit J - Sheet C4-2 - Sanitary Sewer Plan & Profile (2/8/07)

Exhibit K - Sheet C8-1 - Detail Sheet (2/8/07)

Exhibit L - Sheet L1-1 - Landscape Plan (2/2/07)

Exhibit M - Sheet L2-1 - Lighting Plan (Not dated)

7. The proposed site plan, attached as **Exhibit E**, meets the general access standards developed for the Highway 12 corridor and the City's specific standards for this site in relation to anticipated future access needs. The property's primary access will be from the existing right-in/right-out access located within the Orono Woods Senior Housing site. A secondary future access will be directly west to the property at 2120 Wayzata Boulevard. A potential third access for future use will be at the northwest corner of the property where it abuts Outlot D, Sugar Woods, which is a potential future backage road.

The property will also have access through the Orono Woods senior housing site to Brown Road South via the shared access arrangements that were dedicated at the time of development of Orono Woods. The City will require sidewalk access from within the property to Orono Woods and Highway 12.

8. Stormwater management is proposed to be provided by stormwater catch basins and storm sewer lines which would discharge to the existing stormwater pond located in the southeast corner of the Orono Woods senior housing site to the direct east. This pond, located at the northwest corner of the intersection of Highway 12 and Brown Road South, was designed to handle the stormwater needs of the property. In addition to the City of Orono, the Minnehaha Creek Watershed District will have approval authority over the applicant's stormwater management plan.
9. The City Council finds that the development of this property should be held to similar architectural design standards of other buildings recently approved along the Highway 12 corridor and the design standards informally envisioned during the Highway 12 turn-back review process.



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10. The City Council finds that the proposed development of the property for an office condominium use will not have negative impacts on the surrounding properties when all Concept Plan Approval conditions are met, and is in keeping with the goals, policies and philosophies of the City.

CONCLUSIONS, ORDER AND CONDITIONS

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orono hereby approves the General Concept Plan for development of approximately 34,000 s.f. of office condominium buildings consisting of 5 lots and one common lot to be known as Amber Woods Office Centre on existing Lot 1, Block 1, Orono Ambar, subject to the following declarations and conditions:

1. The City of Orono will grant preliminary and final subdivision approvals in order to create 5 unit lots and one common lot on one block when the conditions of this resolution are fulfilled.
2. Conditions for Development Plan Approval are as follows:

A. Development Standards and General Conditions.

- 1) Required off-street parking per the recommendations of the City's traffic consultant shall be 3.5 stalls per 1000 s.f. using 85% of the gross floor area. Parking layout and traffic flow shall be reviewed and approved by the City Engineer.
- 2) Acceptable ingress and egress easements or other suitable legal means shall be established through the property to allow for the public's right to access over the parking lot and drive lanes to allow for connection of a future frontage road to Outlot D, Sugarwoods at the northwestern corner of the site, as well as to the welding shop property to the west. A surmountable emergency vehicle only access shall be developed along the northerly portion of the western property boundary, per the recommendations of the City's Fire Marshal.



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- 3) The Development Plan shall meet all setback standards for building construction and parking as established under the B – 6 Highway Commercial District requirements, as defined in the following table:

Building/Development Standards		Required
Lot Area		2.0 acre min.
Lot Width		100'
Principal Structure Setbacks	Front (S)	30'
	Side (E)	35'
	Side (W)	10'
	Rear (N)	35'
Parking Setbacks -includes driving lanes	Front (S)	15'
	Side (E)	10'
	Side (W)	5'
	Rear (N)	10'
Building Height	Peak Height	N/A
	Defined Height	30' max.

The above table values are based on the B-6 standards found in Section 78-797 (1-5) of the Zoning Ordinance.

- 4) Appropriate traffic and parking signage within the property shall be installed subject to the Orono staff and City Engineer review and approval.
- 5) Applicant shall demonstrate to the Council's satisfaction that the front façade of the buildings, as noted in Exhibit A, and specifically implementation of an architectural feature to the roof, are incorporated so as to break up the expanse of the front view of the roof.



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- 6) The percentage of the property that is devoted to green space (not including areas in road rights-of-way) shall be maximized to the greatest extent possible but in no case shall be less than shown on the Preliminary Site Plan dated 2-8-07 and attached as Exhibit E.
- 7) A landscaping plan shall be submitted for review which shall meet all landscaping standards established within the B – 6 Highway Commercial District standards of Section 78-797 (8) (a) through (g). The applicant shall pay particular attention to a buffering/screening design along the northern property boundary along the top tier of the proposed retaining wall design, and also along the eastern lot line adjacent to the Orono Woods senior housing development. The intent of the City is to be sensitive to the residential uses to the north and east. This landscaping plan shall also include screening for any retaining walls or retaining wall systems exceeding 4' in height, and shall include screening of parked vehicles via a hedge abutting the parking stalls facing 2120 Wayzata Boulevard, and abutting the parking stalls at the south end of the property facing Highway 12.
- 8) All retaining walls shall be located at least 5' from all perimeter property boundaries, with the exception of the wall systems abutting the westerly and southerly edges of the parking lot.
- 9) A lighting plan shall be submitted illustrating all lighting fixtures to be affixed to the building, pole locations, fixture details, and foot-candle measurements up to the property line. No measurable foot-candle will be permitted to extend over the northern and eastern property boundary. Property lighting shall be low, shielded and directed downwards.
- 10) A signage plan shall be submitted in compliance with the 190 s.f. allowance provided under section 78-1468 for B – 1, B – 2, and B – 4 Zoning Districts and also the Zoning Code Amendment approved on May 8, 2004 regarding monument signs (Ordinance No. 6, Third Series). The 190 s.f. allowance shall include any monuments signage as well as exterior wall mounted signage.



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- 11) Final decisions by the applicant regarding colors, types and qualities of building materials shall be subject to City Council approval. The proposed building shall be subject to the Architectural Standards for the B-6 District per Zoning Code Section 78-797 (9) a through e and material as represented thus far in the submitted plans.
- 12) The use of the building is specifically approved for professional office use. Retail uses accessory to the office use may be allowed with the limitation that within any building, retail uses shall not exceed 5% of the gross floor area of that building.
- 13) Applicant's architect shall submit final development plans to the Metro Council Environmental Services to determine the exact number of SAC units to be charged at the time of the issuance of building permits.
- 14) Applicant shall provide suitable evidence of Minnehaha Creek Watershed District (MCWD) approval of the stormwater management plan before Development Plan Approval will be granted. Erosion control shall adhere to "Best Management Practices for Protecting Water Quality in Urban Areas". All erosion controls as required by the City and by the MCWD shall be in place prior to commencement of excavation on the property.
- 15) Association documents must be submitted for review by the City Attorney and City Council as part of General Development Plan review.
- 16) Applicant shall incorporate into association documents formation of a review committee to review/approve uses as they are introduced into the development. The intent of the City is for a self-policing of intensities of uses.
- 17) Final plat approval, commercial site plan approval, and easement vacations and dedications will be included within the General Development Plan review and approval.



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NO. _____

- 18) This concept plan approval is based upon the known issues that may affect this project, but this approval does not limit the City from revising or amending these conditions as the review process continues.

B. **Plans and Specifications.** The following plans and specifications shall be submitted for review and approval by the City and other appropriate jurisdictions:

- 1) Final plans and specifications for all proposed utility lines and services, including any proposed revisions to existing service facilities. The Public Works Department and MnDOT shall review and approve all utility improvements. Final sanitary sewer and watermain plans shall be provided and are subject to approval by the Public Works Department.
- 2) Final grading, drainage and erosion control plans showing existing and proposed contours, building locations, elevations, stormwater facilities and calculations, utilities and erosion control measures to be used during construction. Applicant shall review the existing storm sewer system at the adjacent senior housing property to ensure adequate capacity. Engineered designs shall be required for all retaining walls or retaining wall systems exceeding 4' in total height. Development Plan Approval will not be granted until the Minnehaha Creek Watershed District has approved the stormwater plans.
- 3) Final landscaping design plan with planting schedules including numbers and species, in accordance with the landscaping requirements of the B-6 zoning district.
- 4) Final building construction plans, including:
 - a) elevations of all sides of the building;
 - b) type and color of exterior building materials;



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- c) proposed floor plan;
 - d) building dimensions; and
 - e) the location of trash and recycling containers and of heating, ventilation and air conditioning equipment.
- 5) Parking lot construction plans, including confirmation that parking lots and driving lanes will be paved and provided with concrete curb and gutter, and that all driving lanes within parking lots shall have a 9-ton minimum pavement section. A geotechnical evaluation of the soil shall be done in conjunction with the pavement design and shall be submitted to the City Engineer for approval.
- 6) Detailed signage plan including monuments signage and wall mounted signage.
- 7) Lighting plan including pole and building mounted lighting.
- 8) Any additional plans and specifications deemed necessary by the City as review progresses.
- C. **Development Agreement.** Development Approval is contingent upon the successful execution of a Development Agreement between the applicant and the City. Such Agreement shall address all specific City requirements for the development.
- D. **Financial Guarantee.** The Development Agreement shall include a financial guarantee by the applicant to ensure the completion of site improvements. The City Engineer shall complete an estimate of improvement costs, including but not limited to landscaping, grading, erosion control, utilities, driveways and parking areas, trails, sidewalks, retaining walls and stormwater management facility construction, and the applicant shall provide to the City a financial guarantee of 150% of the improvement costs.



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- E. **Storm Water and Drainage Trunk Fee.** The standard Storm Water and Drainage Trunk Fee for commercial development shall be paid by the developer at the rate of \$7,320 per acre (2007 Fee Schedule).
 - F. **Park Dedication.** None. The park dedication fee of \$35,510 was paid by Frank Dunbar on 11-20-03 based on a commercial use of the property.
 - G. **Sewer and Water Connection Charges.** None. The property was fully assessed for commercial sewer/water units as part of the 1989 Highway 12 project, and no additional charges would be due for commercial use of the property. Applicant is responsible for MCES Sewer Availability Charges (SAC) as noted in item A13 above.
- 3. This General Concept Plan Approval resolution approves the development concept subject to the applicant meeting the requirements of this resolution and all other requirements of the City. Final development plan approval shall include review and recommendation by the Planning Commission pursuant to a public hearing and shall only be granted when the City Council finds that all "Conditions for Development Plan Approval" as identified herein have been met.
 - 4. This General Concept Plan Approval shall be effective for a period of 6 months from the date of this resolution, or until the date of general Development Plan Approval, whichever comes first. If Development Plan Approval is not granted within the 6 month period, the terms and conditions of this resolution shall be null and void. The City Council at its sole discretion may extend this effective period.
 - 5. The undersigned applicant has read, understood and hereby agrees to the terms of this resolution and on behalf of himself, his heirs, successors and assigns, hereby agrees to the recording of this resolution in the Chain of Title of the property.



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Adopted by the Orono City Council on this 12th day of March, 2007.

ATTEST:

James M. White
James M. White, Mayor

Linda S. Vee
Linda S. Vee, City Clerk

Philip L. Carlson
(For Amber Woods Office Centre LLC)



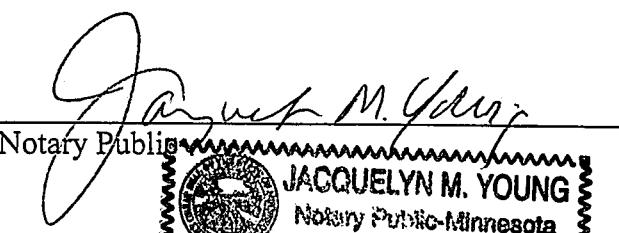
CITY of ORONO

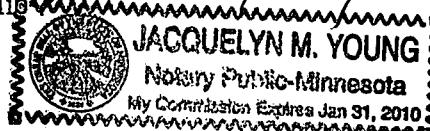
RESOLUTION OF THE CITY COUNCIL

NO. 5585

STATE OF MINNESOTA
COUNTY OF HENNEPIN

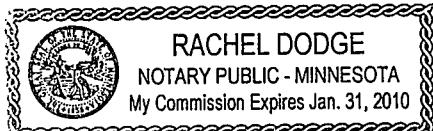
The foregoing instrument was acknowledged before me on this 1st day of March, 2007 by James M. White, Mayor of the City of Orono, a Minnesota municipal corporation and said instrument was executed on behalf of the City.

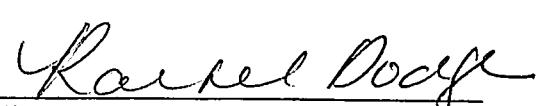

Notary Public



STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me on this 27th day of March, 2007 by Linda S. Vee, City Clerk of the City of Orono, a Minnesota municipal corporation and said instrument was executed on behalf of the City.

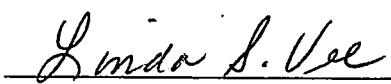



Notary Public

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The instrument was acknowledged before me on this 15th day of May, 2007 by Philip L. Carlson, the Chief Manager of Amber Woods Office Centre LLC, a Minnesota limited liability corporation, on behalf of the Corporation.




Notary Public

5585

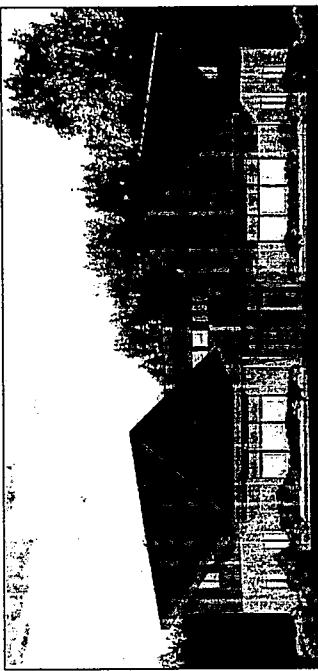
EXH. A-1

DATE: 12-18-06
REVISIONS: 1-18-07

CODE REVIEW

AMBER WOODS
OFFICE CENTRE

2060 WEST WAYZATA BLVD.
ORONO, MN



TOWN OFFICE DUPLEX

ABBREVIATIONS

卷之三

WALL TYPES

10

TITLE
SHEET

STREET NO.

અનુભવ

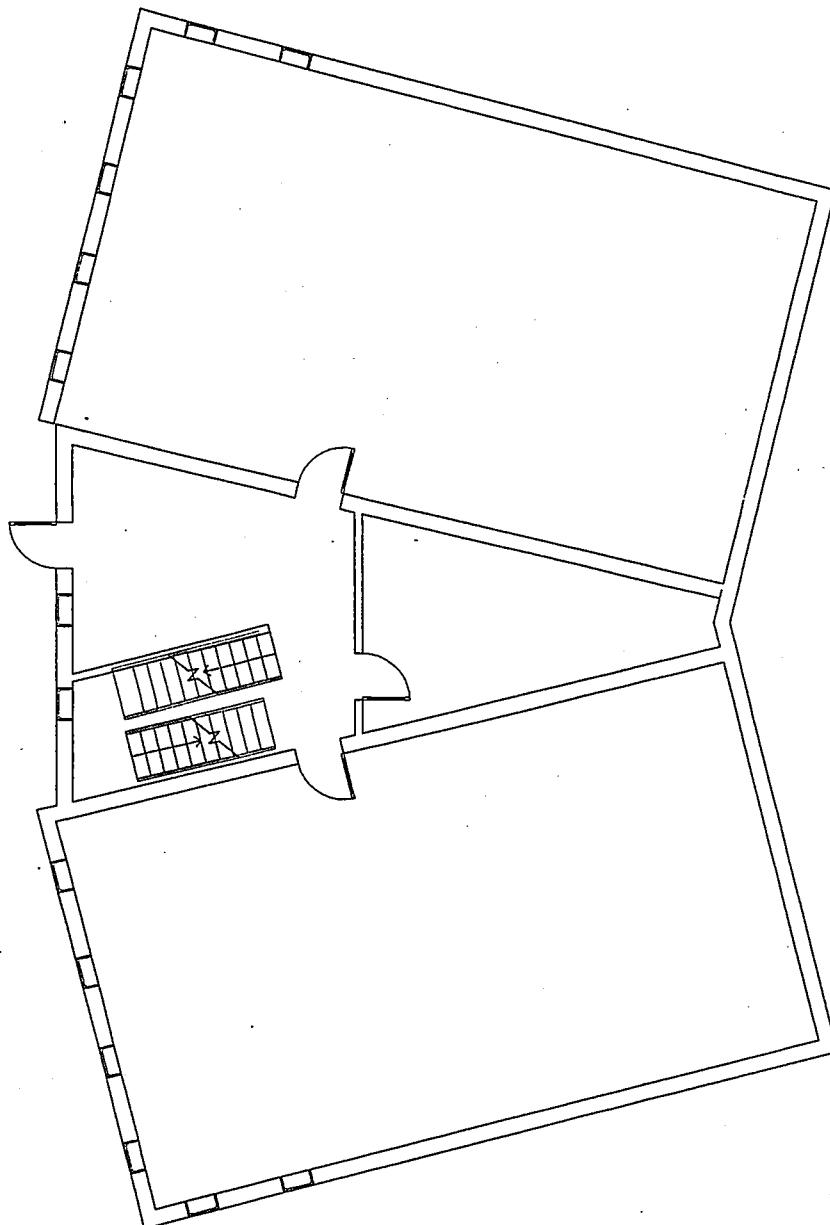
DATE 12-15-07
REVISIONS 1-18-07

INTERSPACE-WEST, INC.
PO BOX 184, WAYZATA, MN 55391
PH: 952-249-1117 FAX 952-249-1118
EMAIL: interspace@qwest.net

AMBERSWOODS OFFICE CENTRE
2060 WEST WAYZATA BLVD.
DORON, MN

NO. 80
LOWER LEVEL

SHEET NO. _____
OF _____ SHEETS
A.1



1
A.1
LOWER WALK-OUT LEVEL
SCALE 1/8" x 1'-0"

5585

EXH. A-3

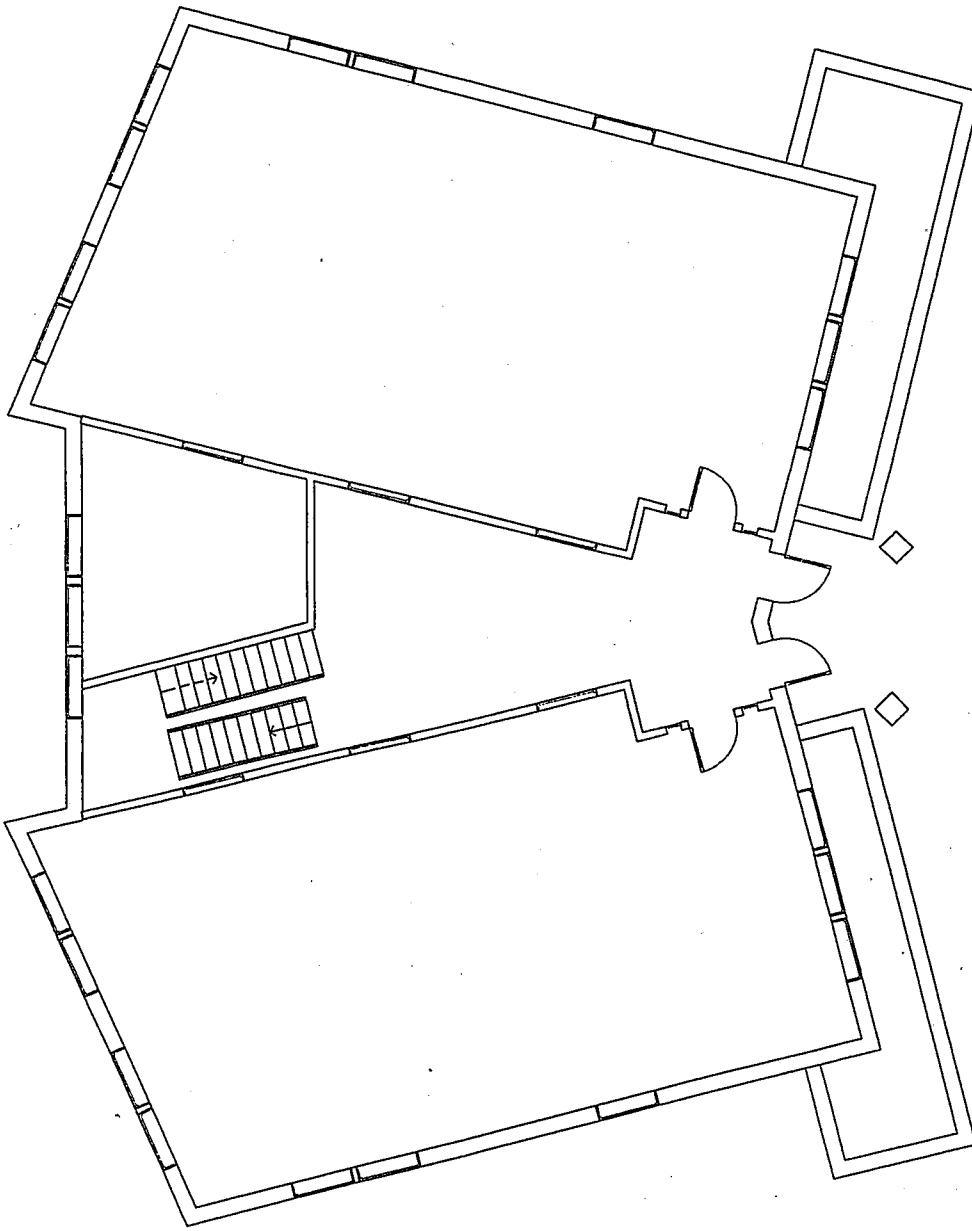
REVISIONS
18-07

INTERSPACE-WEST, INC.
PO BOX 184, WAYZATA, MN 55391
PH: 952-249-1117 FAX: 952-249-1118
EMAIL: interspace@qwest.net

AMBERR WOODS OFFICE CENTRE
2060 WEST WAYZATA BLVD.
ORONO, MN
ON JOB

MAIN
LEVEL

SHEET NO.
A.2
SHEETS
OF



MAIN LEVEL
A.2
SCALE 1/8" = 1'-0"

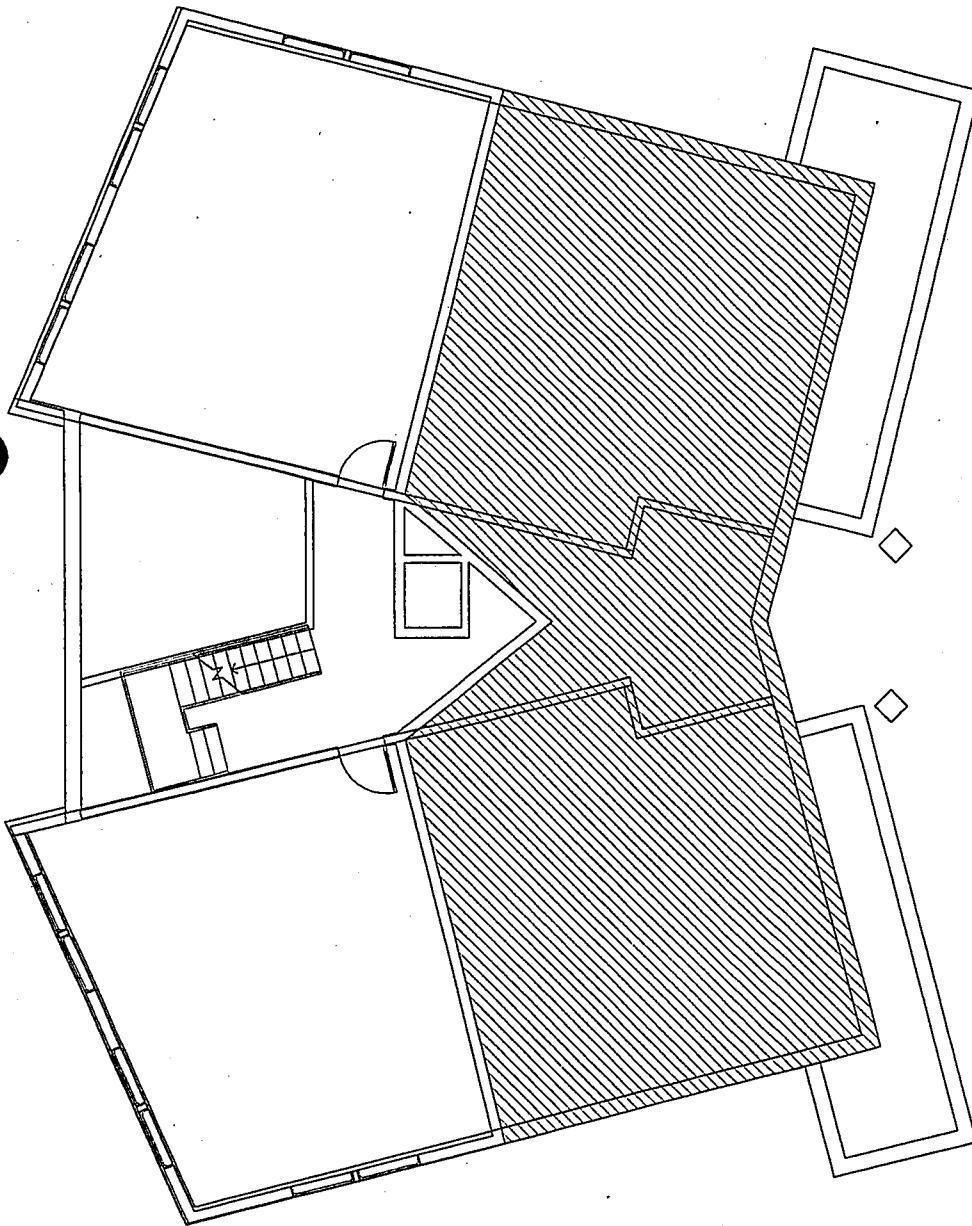
REVISIONS
1-16-07

INTERSPACE-WEST, INC.
PO BOX 184, WAYZATA MN 55391
PH: 952-249-1117 FX: 952-249-1118
EMAIL: interspace@qwest.net

AMBERSWOOD OFFICE CENTRE
2060 WEST WAYZATA BLVD.
DORON, MN 55391
PH: 952-249-1117 FX: 952-249-1118

LOFT
LEVEL
1 OF 300

SHEET NO.
A.3
OF SHEETS



1 LOFT LEVEL
A.3
SCALE 1/8" = 1'-0"

5585

EXH. A-5



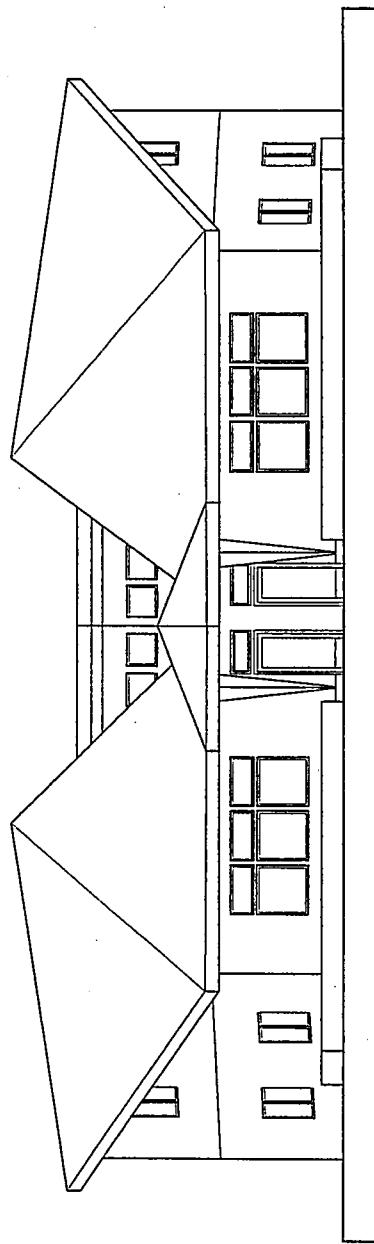
INTERSPACE-WEST, INC.
PO BOX 184, WAYZATA, MN 55391
PH: 952-249-1117 FAX: 952-249-1118
EMAIL: interspace@qwest.net

AMBER WOODS OFFICE CENTRE
2060 WEST WAYZATA BLVD.
ORONO, MN

ON JOB

FRONT ELEVATION

A.4
SHEET NO. _____
OF _____ SHEETS



1 FRONT ELEVATION
A.4 SCALE 1/8" = 1'-0"

EXH. A-6

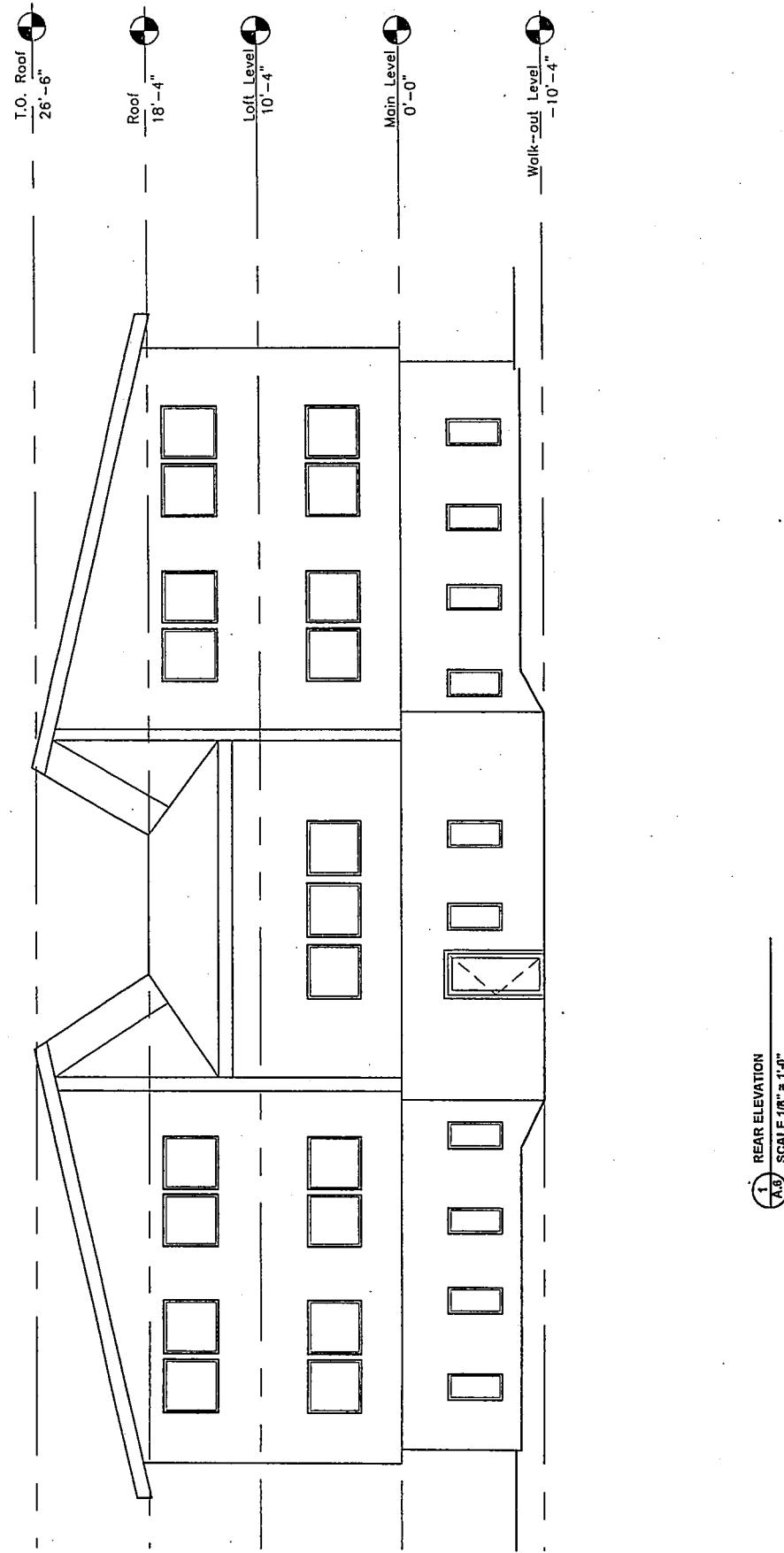
5585

REVISIONS -18-07
INTERSPACE-WEST, INC.
PO BOX 184 WEAZATA, MN 55391
PH: 952-249-1117 FAX 952-249-1118
EMAIL: interspace@west.net

2080 WEST WEAZATA BLVD.
AMBERR WOODS OFFICE CENTRE
ORONO, MN
SHEET NO. _____

REAR ELEVATION
SHEET NO. _____

A.6 SHEETS
OF _____



5585

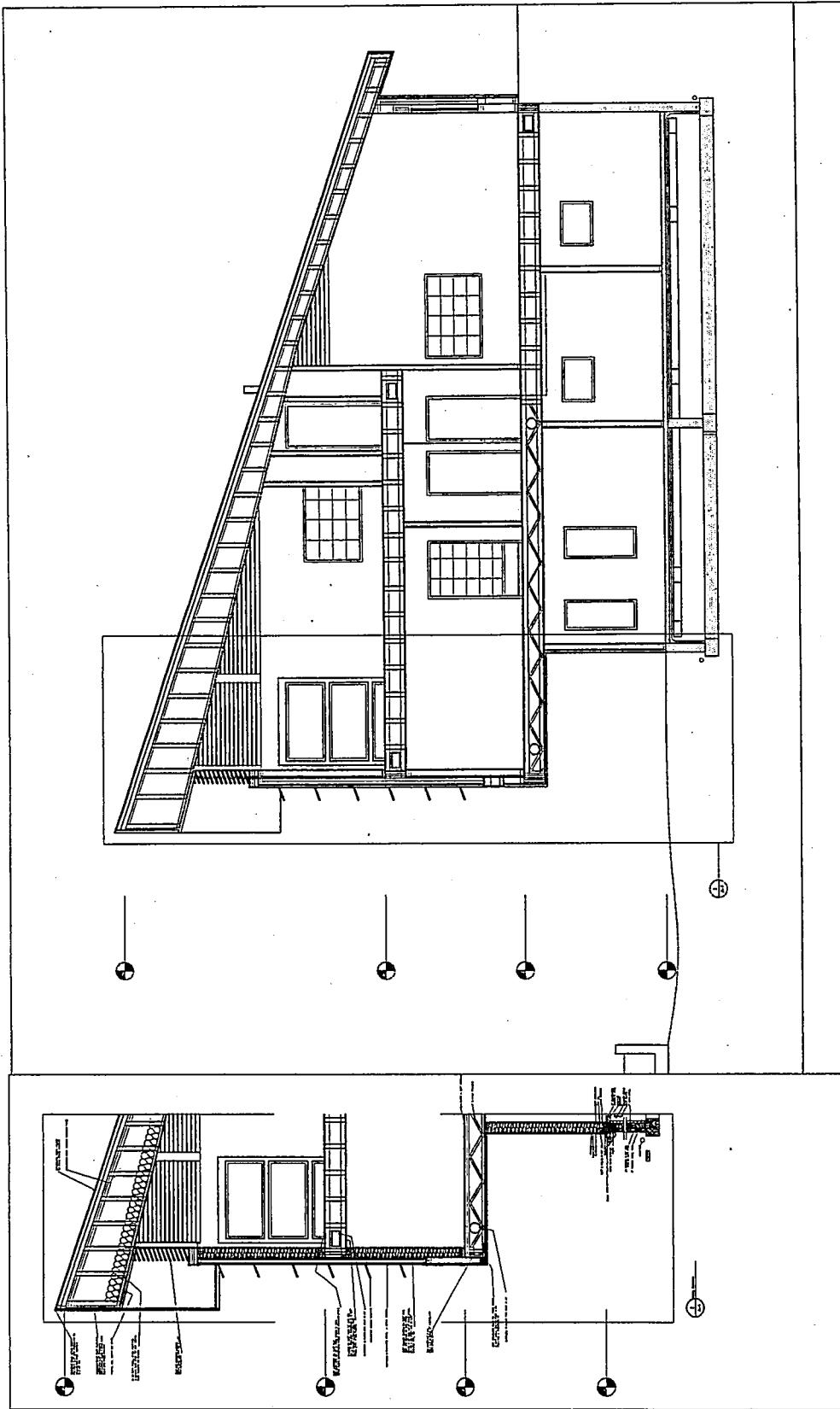
EXH. A-7

REVISIONS
1-16-07

INTERSPACE-WEST, INC.
PO BOX 184, WAYZATA, MN 55391
PH: 651-291-1117 FAX 651-291-1118
EMAIL: interspace@qwest.net

AMBERSWOOD OFFICE CENTRE
2060 WEST WAYZATA BLVD.
DORON, MN

SECTION
A.7
SHEET NO. _____
OF SHEETS _____



1
WALL SECTION
A.7
SCALE 1/16" = 1'-0"

1
BUILDING SECTION
A.7
SCALE 1/16" = 1'-0"

AMBER WOODS OFFICE CENTER

ORONO, MINNESOTA

**PRELIMINARY PLANS FOR:
STREETS, GRADING, CURB & GUTTER,
UTILITIES, PONDING, AND RETAINING WALLS**

SHEET INDEX

STILET INDOA	
COP	COVER SHEET
C1	EXISTING CONDITIONS
C1-1	CLIMATE
C1-2	RAIDAL PLAN
C1-3	SITE PLAN
C1-4	GRADING & DRAINAGE PLAN WEST
C1-5	GRADING & DRAINAGE PLAN EAST
C1-6	STORM WATER POLLUTION PREVENTION PLAN
C1-7	UTILTY PLAN
C1-8	DETAIL SHEET
11-1	LANDSCAPE PLAN

GENERAL NOTES

- This Existing Condition Plan was prepared by a field survey by Touch Associates and created utilizing drawings provided by the City of Okotoks.

We have found buried structures and utilities, as well as other boundary markers such as utility poles, signs, and trees. Boundary markers do not necessarily correspond to the property lines.

Utility operators do not consistently respond to locate their facilities. Therefore, we have had to rely on the best of our ability, subject to the following restrictions:

 - i. Utility operators do not consistently respond to locate their facilities.
 - ii. Utility operators will not mark such "Private" services.

Some utility operators, often will not locate services from their main line to the customer's service or facility, they consider those segments private installations that are outside their jurisdiction.

If a private service to an adjacent's site crosses this site or a service to this site crosses an adjacent, it may not be located. Site owners/operators will not mark such "Private" services.

1. Show and tell conditions during winter months may obscure otherwise visible evidence of a buried structure utility.

2. Maps provided by operators, either along with a field location or provided in such a location, are very often inaccurate or inconclusive.

1. The surface features and elevations shown on this drawing were located by Loucks Associates.

2. All of the ground utility information and location shown on this plan were prepared from record drawings obtained from the City and the City of Okotoks records.

1. EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE.
BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY CYPHER STATE AT 651/440002.
4 HOURS IN ADVANCE OF THE EXCAVATION.

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. HE SHALL CONTRACT WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND FOR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT COMPAK CO. CALL AT 651-451000 IF HE HAS AN ADVICE FOR THE LOCATIONS OF ALL UNDERGROUND PIPE, WIRES AND CABLES. HE WILL NOT BURIED THESE UNDERRUNG PIPE, WIRES AND CABLES. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY DAMAGE CAUSED BY HIS WORK. THE CONTRACTOR SHALL PAY FOR ALL EXPENSES INCURRED DURING CONSTRUCTION AS WELL AS FOR REPAIRS TO THE PROPERTY HE AND HIS WORKMEN DAMAGE DURING CONSTRUCTION AT NO COST TO THE CONTRACTOR.



DESIGN CONSULTANTS

כט' ל' צו גבו

CO-1

EXH. B
5595

**LOUCKS
ASSOCIATES**

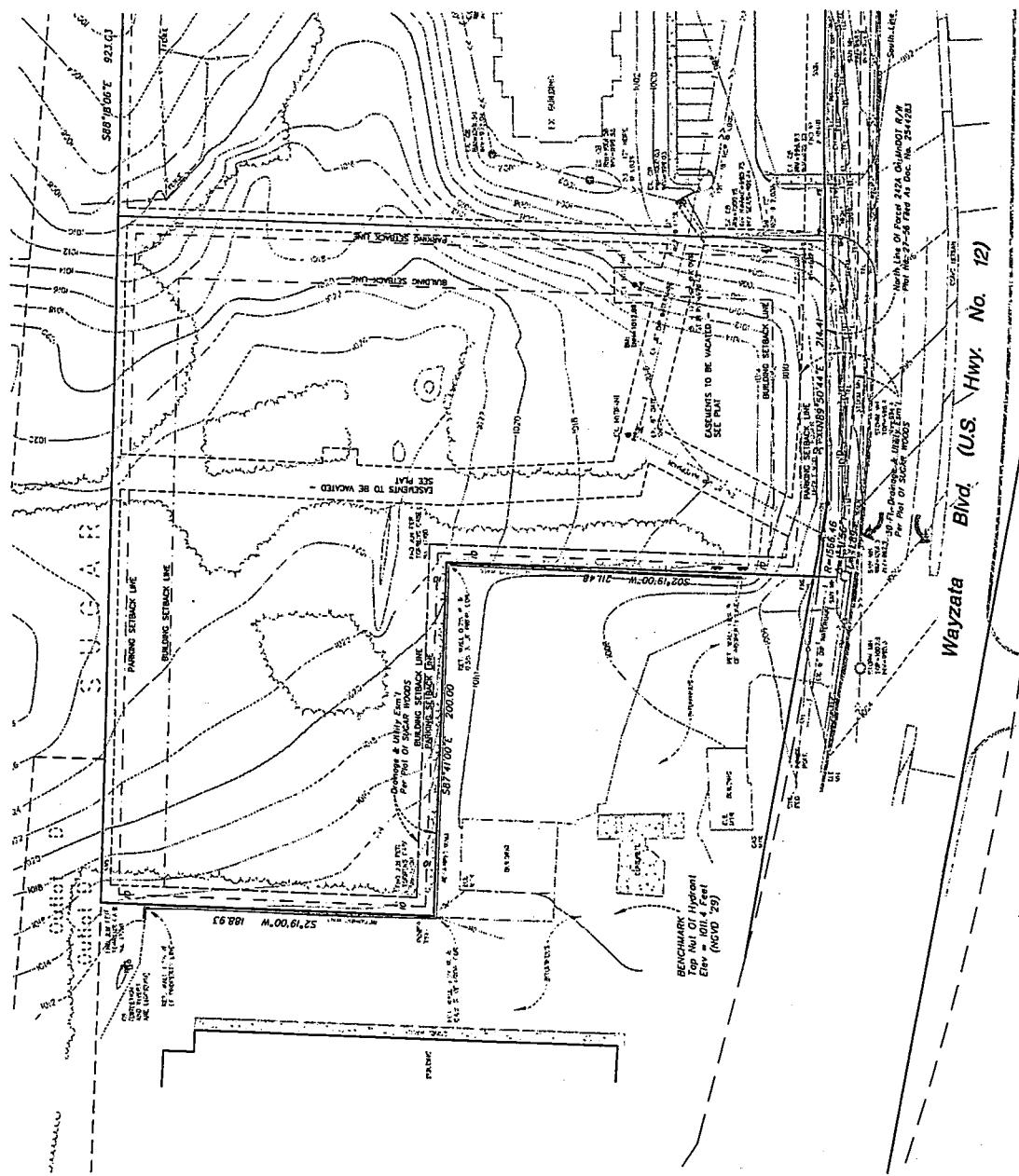
ORONO, MINNESOTA
INTERSPACE WEST, INC.
GINA CARLSON
PO BOX 184
WAYZATA, MN 55391

10 of 10

Länder auf der Basis eines Gemeinschaftsvertrages

04118
Refund No.:
Scheck No.:

EXH. C
5585



EXH. F

585

WOODS
OFFICE CENTER

ORONO, MINNESOTA
INTERGRAPHICS, INC.
GIA CALSON
WYOMA 4-13191

LOUCKS
ASSOCIATES

Engineering
Surveying
Land Development

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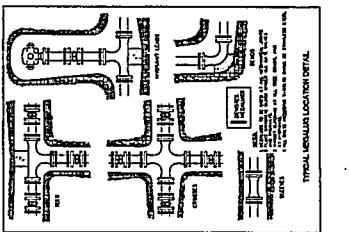
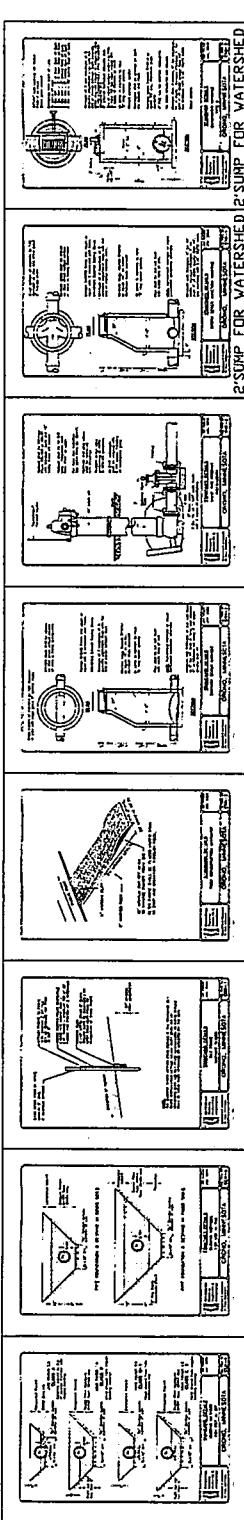
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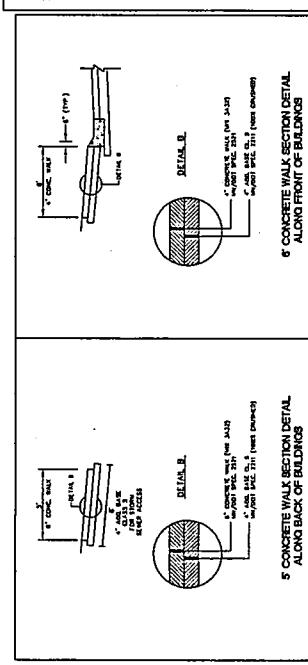
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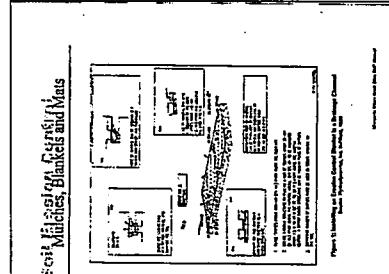
2.2' SUMP FOR WATERSHED



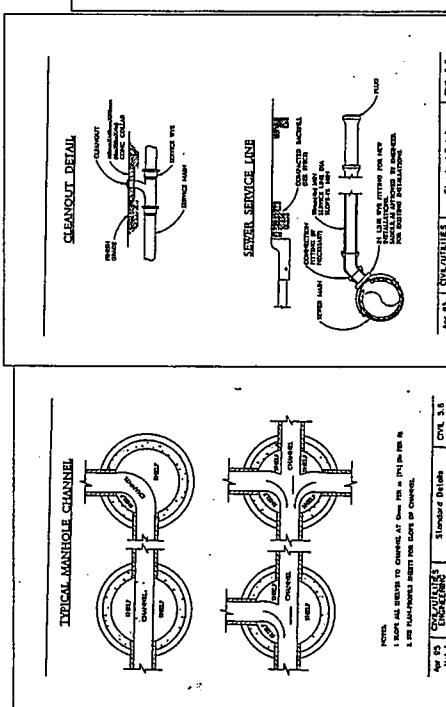
**CONCRETE WALK SECTION DETAIL
ALONG FRONT OF BUILDING**



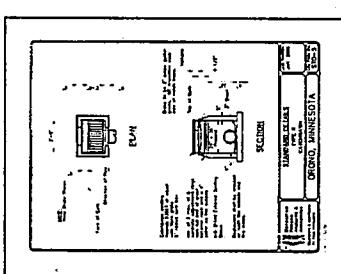
BITUMINOUS PAVING SECTION



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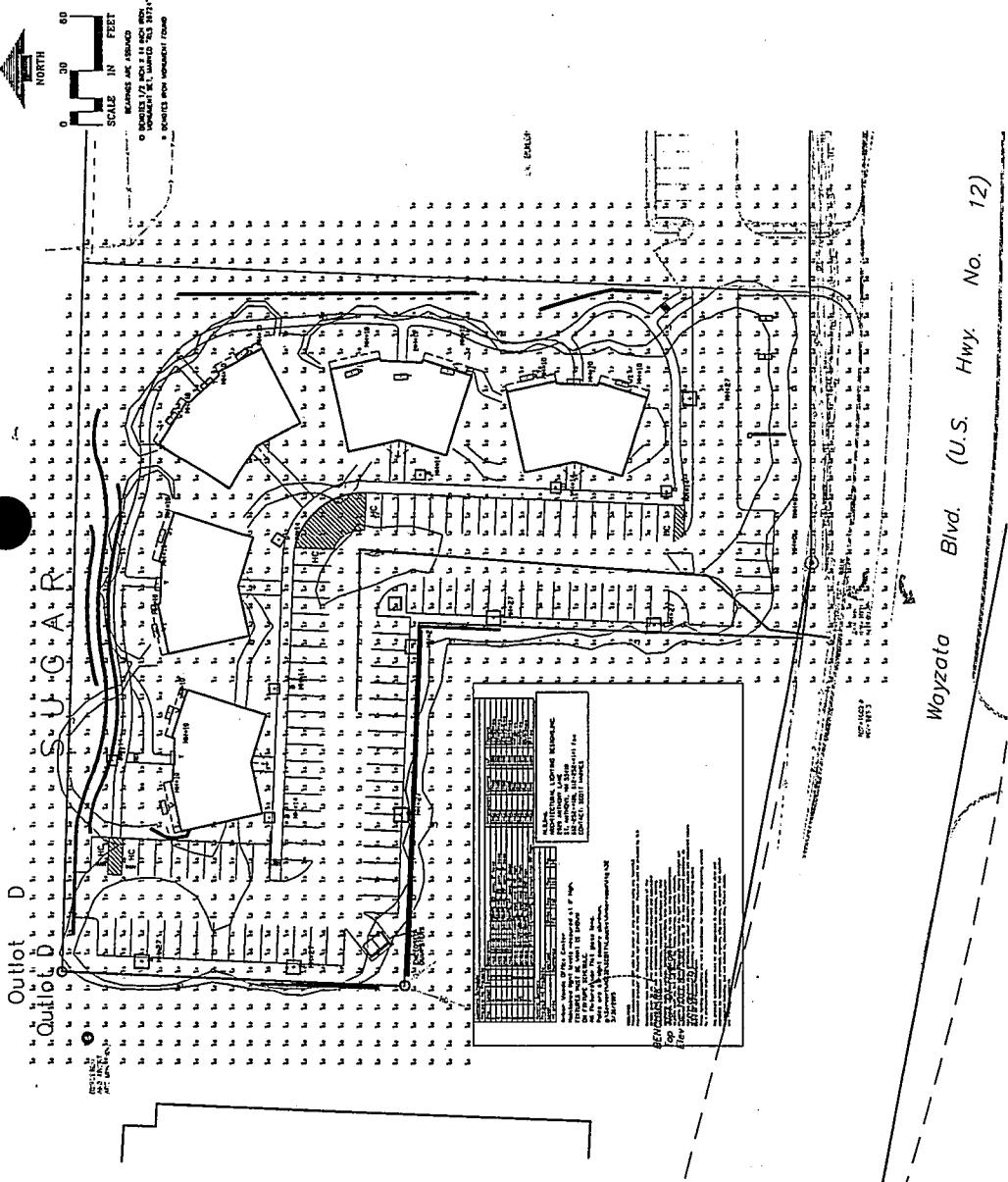
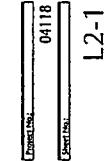
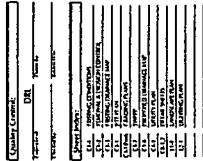


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