

**BOARD OF WATER COMMISSIONERS  
RESOLUTION**

PRESENTED BY  
COMMISSIONER \_\_\_\_\_

No. 19-274  
DATE February 12, 2019

---

**WHEREAS**, a Private Water Main Agreement between the Amherst H. Wilder Foundation, and the Board of Water Commissioners (“Board”) dated June 3, 1974 provided for the installation, maintenance and repair of a private water main that supplies public water service to 750 North Milton Street, Saint Paul, Minnesota (“Private Water Main Agreement”); and

**WHEREAS**, the current owner, Wilder Square, LLC does now desire to transfer ownership of the property to CommonBond Communities; and

**WHEREAS**, the Private Water Main Agreement stipulates that all rights and obligations of said Agreement run with the land and that transfer of ownership requires consent of the Board; and

**WHEREAS**, the parties have executed an Assignment and Assumption Agreement that transfers rights and obligations in accordance with the terms and conditions of the Private Water Main Agreement, and has requested Board approval of said Assignment and Assumption Agreement; and

**WHEREAS**, staff has prepared a Consent to Assignment and Assumption which provides said approval by the Board; now, therefore, be it

**RESOLVED**, that the Board of Water Commissioners does hereby approve the Consent to Assignment and Assumption pertaining to the transfer of rights and obligations contained in a certain Private Water Main Agreement dated June 3, 1974 between the Amherst H. Wilder Foundation and the Board of Water Commissioners of the City of Saint Paul with respect to 750 North Milton Street, Saint Paul, Minnesota, from the current owner, Wilder Square, LLC to CommonBond Communities; and, be it

**FURTHER RESOLVED**, that the proper officers are hereby authorized and directed to execute said Consent to Assignment and Assumption on behalf of the Board, following approval by the assistant city attorney.

**Water Commissioners**

**Adopted by the Board of Water Commissioners**

**Yeas**

**Nays**

**February 12, 2019**

**In favor**

**Opposed**

\_\_\_\_\_  
Secretary

ORIGINAL