

**BOARD OF WATER COMMISSIONERS  
RESOLUTION**

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

**No. 22-892**  
DATE June 7, 2022

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**WHEREAS**, the Board of Water Commissioners of the City of Saint Paul (the “Board”) approved a private water main agreement dated May 9, 2017 with multiple owners of the development known as Mendota Plaza located east of Dodd Road, north of South Plaza Drive, and south of Highway 110 in the city of Mendota Heights; and

**WHEREAS**, the property owners desire the Board to terminate the May 9, 2017 Agreement, and vacate and release said perpetual water main easement, for the purpose of identifying, granting, and conveying to the Board a new perpetual water main easement; and

**WHEREAS**, staff has prepared a new Private Water Main Agreement which sets forth those terms and conditions required by the city attorney’s office for the termination of the original agreement, replacing the perpetual utility easement for the existing private water main, creating a new perpetual utility easement for the proposed extension of the existing private water main, and the installation and operation of the private water mains; now, therefore, be it

**RESOLVED**, that the Board of Water Commissioners of the City of Saint Paul hereby approves the Private Water Main Agreement with Mendota Mall Associates – WAG, LLC, Mendota Mall Associates, LLC, Mendota Mall Associates – Outlots, LLC, Mendota Plaza Apartments, LLC, Spaulding-Cashill LLP, and L&M Holdings, LLC to provide domestic water and fire protection to Mendota Plaza in substantially the form submitted and that the proper officers of the Board are hereby authorized and directed to execute said Private Water Main Agreement on behalf of the Board, following approval of the assistant city attorney.

**Water Commissioners**

**Adopted by the Board of Water Commissioners**

**Yeas**

**Nays**

**June 7, 2022**

**In favor**

**Opposed**

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Secretary

ORIGINAL