

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 15-1414
DATE September 8, 2015

WHEREAS, a Private Water Main Agreement by and between United Properties Investment LLC, the City of Mendota Heights, and the Board of Water Commissioners of the City of Saint Paul dated October 11, 2000 provided for the installation, maintenance and repair of a private water main that supplies public water service to 1210 and 1230 Northland Drive, a commercial complex in the City of Mendota Heights, Minnesota ("Private Water Main Agreement"); and

WHEREAS, United Properties Investment LLC does now desire to transfer ownership of the property and all rights and obligations of the Private Water Main Agreement to MSP SLP Apartments, LLC; and

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

WHEREAS, the parties have prepared 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 Agreement which provides said approval by the Board; now, therefore, be it

RESOLVED, that the Board of Water Commissioners does hereby approve a Consent to Assignment and Assumption Agreement, said Consent pertaining to the transfer of rights and obligations contained in that certain Private Water Main Agreement dated October 11, 2000 by and between United Properties Investment LLC, the City of Mendota Heights, and the Board of Water Commissioners with respect to 1210 and 1230 Northland Drive, Mendota Heights, Minnesota, from the current owner, United Properties Investment LLC, to MSP SLP Apartments, LLC; and, be it

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

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

September 8, 2015

In favor

Opposed

Secretary

ORIGINAL