

(Reserved for Recording Data)

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**CONSENT OF BOARD OF WATER COMMISSIONERS**  
**OF THE CITY OF SAINT PAUL**

THIS CONSENT (this "Consent") is executed as of the 12th day of January, 2016, by the BOARD OF WATER COMMISSIONERS OF THE CITY OF SAINT PAUL, a Minnesota municipal corporation (the "Board").

**RECITALS**

WHEREAS, Maplewood Townhomes Limited Partnership , the City of Maplewood and the Board are parties to an Agreement dated September 16, 1996 and recorded with the Ramsey County, Minnesota Recorder as Document No. 2970382 (the "Agreement"), which Agreement concerns the construction and ongoing maintenance and repair of a private water main on certain real property located at 2451 Ariel St N, Maplewood, Ramsey County, Minnesota and more particularly described in the Agreement and Exhibit A (the "Property"); and

WHEREAS, the Agreement was assigned to and assumed by Maplewood TH Acquisition, LLC (the "Assignor") by that certain Assignment and Assumption Agreement dated October 4, 2012 and recorded with the County Recorder, County of Ramsey, Minnesota as Document No. 4360728; and

WHEREAS, pursuant to the terms of Section 10 of the Agreement, Assignor has requested that the Board consent to the conveyance by Assignor of the Property and all improvements located thereon to Maplewood Townhomes LLC, a Minnesota limited liability company (the "Assignee"), as well as the assignment by Assignor to Assignee of all rights, duties, obligations and benefits of Assignor under the Agreement, and the assumption by Assignee of such rights, duties, obligations and benefits.

NOW, THEREFORE, in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Board hereby executes this Consent for the purpose of evidencing its consent to and approval of 1) the conveyance by Assignor to Assignee of the Property and all improvements located thereon, and 2) the assignment by Assignor to Assignee of all rights, duties, obligations and benefits of Assignor under the Agreement, and 3) the assumption by Assignee of such rights, duties, obligations and benefits.

*[Signature Page Follows]*

IN WITNESS WHEREOF, the Board has executed this Consent as of the day and year indicated above.

**APPROVED:**

**BOARD OF WATER COMMISSIONERS  
OF THE CITY OF SAINT PAUL**

By \_\_\_\_\_  
Stephen P. Schneider, General Manager

By \_\_\_\_\_  
Matt Anfang, President

Approved as to form:

By \_\_\_\_\_  
Assistant City Attorney

By \_\_\_\_\_  
Mollie Gagnelius, Secretary

By \_\_\_\_\_  
Todd Hurley, Director  
Office of Financial Services

**STATE OF MINNESOTA )**  
**) ss.**  
**COUNTY OF RAMSEY )**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Matt Anfang, President of the Board of Water Commissioners, a Minnesota municipal corporation, on behalf of the corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens) ☒

**STATE OF MINNESOTA )**  
**) ss.**  
**COUNTY OF RAMSEY )**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Mollie Gagnelius, Secretary of the Board of Water Commissioners, a Minnesota municipal corporation, on behalf of the corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens) ☒

**STATE OF MINNESOTA )**  
**) ss.**  
**COUNTY OF RAMSEY )**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Todd Hurley, Director, Office of Financial Services of the Board of Water Commissioners, a Minnesota municipal corporation, on behalf of the corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

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**EXHIBIT A**

**Legal Description**

Property located in Ramsey County, Minnesota, legally described as:

The East 403.00 feet of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 11, Township 29, Range 22, Ramsey County, Minnesota except the North 278.94 feet thereof.