

SUBJECT

BOARD RESOLUTION NO. 17-1634

Pertaining to a First Amendment to Private Water Main Agreement with Sibley Cove Limited Partnership, Chung Hing Wong and Lan Tu Wong, and ECC White Bear Ave LLC in the City of Maplewood.

BACKGROUND INFORMATION

The proposed amendment adds a fourth property owner to the agreement and redistributes maintenance responsibilities.

See attached:

- Report
- Area Map
- Location Map

RECOMMENDATION

Approval is recommended.

REPORT

Amendment to Private Water Main Agreement

October 2, 2017

The initial 2015 private water main agreement accomplished the following:

1. Provided Board approval of an existing private water main situated in property addressed as 1996 County Road D E (Property A), which, at the time, provided water service only to an adjacent property addressed as 3070 White Bear Ave N (Property B)
2. Provided approval of service to Property B to the private main, and also to a similarly adjacent property addressed as 3094 White Bear Ave N (Property C)
3. Provided that the owners of Properties B and C are responsible for all maintenance, repairs, operation, and/or replacement of the private main
4. Granted to the Board easement rights over the private main

See attached Area Map for reference.

The owner of the property addressed as 3088 White Bear Ave (Property D) is currently redeveloping that parcel. As part of their redevelopment, an upgraded water service is necessary to satisfy the City of Maplewood's fire suppression requirements.

Ramsey County recently rehabilitated the section of White Bear Ave N fronting this property and therefore a moratorium for excavation within this section of right-of-way is in effect. This moratorium will not allow the required water service upgrade to Property D to be installed in White Bear Ave right-of-way. Therefore, the owners of Property D have requested to be included as a party to the initial 2015 private water main agreement in order to install a fire suppression service from the private main immediately east of the property. The owners of Properties A, B, and C have agreed to amend the agreement to serve that purpose.

The boundaries of the easement and the rights granted to the Board remain unchanged from the initial 2015 private water main agreement.

This amendment accomplishes the following:

1. Provides approval of service to Property D from the private main
2. Provides that the owners of Properties B, C, and D are responsible for all maintenance, repairs, operation, and/or replacement of the private main