

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 17-1634
DATE October 10, 2017

WHEREAS, a private water main was installed in 1985 within the property addressed as 1996 County Road D East in the City of Maplewood; and

WHEREAS, a Private Water Main Agreement entered into February 10, 2015, and recorded in the Office of the Recorder of Ramsey County, Minnesota as Document No. A04550472 approved said private water main and provided the Board its required rights ("Initial Agreement"); and

WHEREAS, the properties addressed as 3094 White Bear Avenue North and 3070 White Bear Avenue North are currently being served by said private water main; and

WHEREAS, the owners of the property addressed as 3088 White Bear Avenue North have applied for connection to said private water main; and

WHEREAS, the owners of 3094 White Bear Avenue North, 3070 White Bear Avenue North, and 1996 County Road D East have agreed to amend the Initial Agreement to include the owner of 3088 White Bear Avenue North; and

WHEREAS, AEI National Income Property Fund VIII LP, the owner of 3094 White Bear Avenue North, Maplewood Partners LLC, the owner of 3070 White Bear Avenue North, and ECC White Bear Avenue II LLC, the owner of 3088 White Bear Ave N, are willing to assume full responsibility for the maintenance, repair, operation, and/or replacement of said private water main; and

WHEREAS, staff has prepared a First Amendment to Private Water Main Agreement and the assistant city attorney has reviewed and approved said amendment as to form; now, therefore, be it

RESOLVED, that the Board of Water Commissioners hereby approves the First Amendment to Private Water Main Agreement with Sibley Cove Limited Partnership, AEI National Income Property Fund VIII LP, Maplewood Partners LLC, and ECC White Bear Ave II LLC to provide domestic water service and fire protection to 3070 White Bear Avenue North, 3094 White Bear Avenue North, and 3088 White Bear Avenue North, in the City of Maplewood, 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.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

October 10, 2017

In favor

Opposed

Secretary

ORIGINAL