



Council Agenda Item 25-0400R

MEETING DATE: May 12, 2025

SUBJECT/TITLE: RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM THE REGENTS OF THE UNIVERSITY OF MINNESOTA OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE CHESTER PARK-UMD NEIGHBORHOOD, AT NO COST TO THE CITY.

SUBMITTED BY: Danielle Erjavec, Senior Property Services Specialist

RECOMMENDATION: Approve

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: N/A

PREVIOUS COUNCIL ACTION: N/A

BACKGROUND: This resolution authorizes the acceptance of a permanent easement for street and utility purposes from the Regents of the University of Minnesota (the “University”) over, under, and across certain property in the Chester Park-UMD neighborhood, at no cost to the City. The easement areas accepted under this resolution are depicted on Exhibits A, B, and C to the easement agreement.

Later this year, the City will be reconstructing Junction Avenue between College Street and Buffalo Street, Buffalo Street between College Street and St. Marie Street, and St. Marie Street between Buffalo Street and Carver Avenue (the “Project”). The reconstructed streets will be a bituminous road with curb and gutter. Sidewalks will be replaced throughout the Project and wider sidewalks will be added in certain areas mutually agreed upon by the City and the University.

The City's real estate records were reviewed during the design phase of the Project, and it was discovered that there were several areas within the University's property that contained a road and/or utilities that did not have a valid easement (there are various stretches within the Project where the City does have an easement). The City and University have worked together since the 1950's to clean up the missing easements, but no agreements have ever been finalized or signed. This easement creates the proper rights for St. Marie St. and Junction Ave. in their entireties between Carver Avenue and College St, as well as a small stretch of Carver Ave. lying below St. Marie St.

The acceptance of this easement allows: (i) the City to complete the Project, (ii) the City to accept local road improvement grant funds from the State of Minnesota for the construction of the Project, and (iii) for public use of the reconstructed street.

There were several council items approved at the April 28 meeting related to the Project (but not this easements), which were 25-0343R, 25-0346R, 25-0347R, 25-0348R, 25-0349R, and 25-0350R. There is separate resolution for the May 12 meeting accepting a separate easement from the University for another purpose (25-0401R).

BUDGET/FISCAL IMPACT: No fiscal impact

OPTIONS: Approve resolution or the above-described Project will be delayed or cancelled

NECESSARY ACTION: Accept permanent easement

ATTACHMENTS: Exhibit 1, Easement Agreement