



Council Agenda Item 25-0737 R

MEETING DATE: September 22, 2025

SUBJECT/TITLE: RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM JACK GARTNER, CAROL GARTNER, RICHARD S. LUCK, RENAE LUCK AND 4GRC LLC OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK 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 City officials to enter into and accept a temporary construction easement from Jack Gartner and Carol Gartner, married to each other, Richard S. Luck and Renae Luck, married to each other, and 4GRC LLC, a Minnesota limited liability company, over, under, and across certain property in the Lincoln Park neighborhood, at no cost to the City.

Between 2026-2028, the City will be completing a reconstruction of Superior Street from Carlton Street to West Michigan Street (the "Project"). The new street will be a bituminous road with curb and gutter. ADA compliant sidewalks, multi-use trails, improved street lighting and better green space will also be added to the corridor. All watermains and storm sewer will be replaced as part of the Project.

The majority of the Project will be completed within existing right-of-way or soon to-be-acquired right-of-way, but there are a few areas where temporary use of property throughout the duration of the Project is need to appropriately tie in property to the existing or future right-of-way. This work may include the following items: slope grading, sidewalk tie-in, driveway, retaining wall and/or ramp tie-in, asphalt replacement, and drainage features. The authorization and acceptance of this temporary construction easement agreement allows the City to complete the Project and tie in private property to the City's right-of-way.

BUDGET/FISCAL IMPACT: None

OPTIONS: Approve resolution so that the City can construct the Project as planned or the Project will be delayed and/or reduced

NECESSARY ACTION: Accept and authorize Temporary Construction Easement Agreement

ATTACHMENTS: Exhibit 1, Temporary Construction Easement Agreement