



## **Council Agenda Item 25-0401R**

**MEETING DATE:** May 12, 2025

**SUBJECT/TITLE:** RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR UTILITY AND DRAINAGE 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 utility and drainage 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 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. A component of the Project will make improvements to the storm sewer outfall within this easement area.

The City's real estate records were reviewed during the design phase of the Project, and it was discovered that there was not an easement for a portion of the culvert or stormwater infrastructure that currently exists and/or is being improved as part of the Project. This easement creates the proper rights for the infrastructure on both sides of St. Marie St. near Midway Ave.

The acceptance of this easement: (i) allows the City to complete the Project, (ii) allows the City to accept local road improvement grant funds from the State of Minnesota for the construction of the Project, and (iii) creates public rights in the easement areas so the City can operate, maintain and repair the culvert and stormwater infrastructure.

There were several council items approved at the April 28 meeting related to the Project (but not this easement), 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 (25-0400R).

**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