



## **Council Agenda Item 25-0499R**

**MEETING DATE:** June 16, 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 ACTIONS:** There were several council items approved at the April 28 meeting related to the Project (defined below), which were 25-0343R, 25-0346R, 25-0347R, 25-0348R, 25-0349R, and 25-0350R. Additionally, there were two council items approved at the May 12 meeting that accepted two easements for the Project (25-0400R and 25-0401R), but the survey for this easement area was not yet completed, so this easement was not able to be accepted at that time. The survey has now been completed, so we are ready for the council to accept this easement.

**BACKGROUND:** This resolution accepts 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 City is currently undertaking a project on 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 Project includes multiple components such as reconstructed streets with bituminous surface, curbs and gutters; new and expanded sidewalks; and utility upgrades.

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 the existing sand trap in the proposed easement area; the sand trap is a part of the City's storm sewer system. This easement creates the proper rights for the existing infrastructure located at the intersection of Junction Ave. and vacated Lyons St.

The acceptance of this easement creates public rights in the easement areas so the City can operate, maintain and repair the stormwater infrastructure

**BUDGET/FISCAL IMPACT:** No fiscal impact

**OPTIONS:** Approve resolution or the City will not have the legal rights to operate, maintain or repair the existing infrastructure

**NECESSARY ACTION:** Accept permanent easement

**ATTACHMENTS:** Exhibit 1, Easement Agreement; Exhibit 2, Map