

Council Agenda Item 26-0584R



MEETING DATE: June 29, 2026

SUBJECT/TITLE: RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM MOUNT ROYAL PINES III LIMITED PARTNERSHIP 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: N/A

BACKGROUND: This resolution authorizes the acceptance of a permanent easement for street and utility purposes from Mount Royal Pines III Limited Partnership over, under, and across certain property in the Chester Park-UMD neighborhood, at no cost to the City.

The City will be completing a reconstruction of St. Marie St. between Woodland Avenue and Vermilion Road, which includes replacement of the existing watermain and driveway aprons, upgrades to the stormwater system, and construction of a shared use trail (the "Project").

The South 33 feet of St. Marie St. between Woodland Ave. and Vermilion Rd. appears to have been condemned in 1912 and constructed shortly thereafter. The City has been actively operating and maintaining this portion since such time as part of the public street and utility system. However, during a review of the City's real estate interests of the Project areas, it was discovered that the South 33 feet of St. Marie St. was not property evidenced on certain Certificates of Title. Mount Royal Pines III Limited Partnership is willing to grant a new street and utility easement to properly reflect the City and public's rights in this area.

A map depicting the South 33' feet between Woodland Avenue and Wallace Avenue is attached as Exhibit 2. There are five separate easements being granted to the City for this stretch—the purpose of this resolution is to accept one of them.

BUDGET/FISCAL IMPACT: None if accepted

OPTIONS: Accept the permanent easement so the City can complete the Project and have the necessary rights in the right-of-way or the City will be unable to complete the Project and potentially close the south half of St. Marie St. between Woodland Ave. and Wallace Ave.

RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM MOUNT ROYAL PINES III LIMITED PARTNERSHIP OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE CHESTER PARK-UMD NEIGHBORHOOD, AT NO COST TO THE CITY.

NECESSARY ACTION: Approve resolution

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