

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

July 8, 2026

No. 26-66

**A RESOLUTION APPROVING THE DECLARATION FOR MAINTENANCE OF
STORMWATER FACILITIES FOR FAIRWAY COMMONS, LIMITED
PARTNERSHIP**

WHEREAS, Fairway Commons, Limited Partnership ("Declarant"), owner of the property legally described in the Declaration for Maintenance of Stormwater Facilities, has submitted a declaration to the City of Falcon Heights; and

WHEREAS, the Declaration identifies stormwater management facilities located on the property, including stormwater infiltration basins, Rain Guardian and rip rap elements, and a sump manhole with momentum preserver (collectively, the "Facilities"), all as labeled in Attachments A and B; and

WHEREAS, the Declarant, as a condition of approval of Fairway Commons development, agrees through the Declaration to inspect, maintain, and repair the Facilities to preserve capacity, hydraulic performance, vegetation health, soil permeability, and intended facility function; and

WHEREAS, the Declaration further requires the Declarant to provide annual reports to the City and authorizes the City to correct maintenance deficiencies if the Declarant fails to do so after notice, with the Declarant reimbursing all City costs incurred; and

WHEREAS, the Declaration specifies required notice procedures, owner information, and recording of the executed document with the Ramsey County Recorder's Office, with associated costs paid by the Declarant.

WHEREAS, the City Council finds that approval of the Encroachment Agreement is consistent with the approved Development and is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Falcon Heights, Minnesota:

1. The Declaration for Maintenance of Stormwater Facilities for Fairway Commons, Limited Partnership is hereby approved.
2. The Mayor and City Administrator to execute the Declaration on behalf of the City and directs that it be recorded with the Ramsey County Recorder's Office.

Moved by:

Gustafson

Approved by:

Randy Gustafson

Mayor

July 8, 2026

GUSTAFSON

MAY

MOGEN

WASSENBERG

MIELKE

5 In Favor

0 Against

Attested by:

Jack Linehan

City Administrator

July 8, 2026