

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2013-22

**A RESOLUTION DECLARING ADEQUACY OF PETITION; APPROVING
PRELIMINARY FEE AGREEMENT; ORDERING PREPARATION OF FEASIBILITY
REPORT AND PREPARATION OF PLANS AND SPECIFICATIONS; AND
APPROVING ENGINEERING SERVICES AGREEMENT FOR THE SECTION 34
(LENNAR AREA) WATER AND SEWER UTILITY EXTENSION IMPROVEMENTS**

WHEREAS, a petition was received from the owners of real property located in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, requesting the extension of trunk watermain and trunk sanitary sewer facilities and that the city assess the cost of the improvements against said properties and hereby agree to pay the entire cost as apportioned by the city; and

WHEREAS, Lennar Corporation has entered into a Preliminary Fee Escrow Agreement with the City for the provision of consulting services in connection with the said improvements.

NOW, THEREFORE, BE IT RESOLVED,

1. A Petition requesting the improvements is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minnesota Statutes 429.035.
2. The Preliminary Fee Escrow Agreement for the provision of consulting services in connection with the improvements is hereby approved.
3. The Petition for the proposed extension of trunk watermain and trunk sanitary sewer facility improvements are hereby referred to the City Engineer, together with city's consultants, to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.
4. In the interest of accelerating the project schedule, the City Engineer, together with city's consultants, shall concurrently prepare plans and specifications for making of such improvements.
5. The Professional Engineering Services Agreement, Task Order No. 1, is hereby approved to retain Bolton and Menk, Inc. to provide engineering support services to the City Engineer in connection with the improvements.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF MARCH, 2013.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk