

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

RESOLUTION NO. 2021-131

*A RESOLUTION EXERCISING THE CITY'S OPTION UNDER THE OPTION AGREEMENT
BETWEEN THE CITY AND THE ESTATE OF GENE M. PELTIER AND THE ESTATE OF ANN
E. PELTIER TO PURCHASE PROPERTY AND EASEMENTS FOR A CITY WATER TOWER
SITE*

WHEREAS, on July 6, 2021, the City of Lake Elmo (the "City") and the Estate of Gene M. Peltier and the Estate of Ann E. Peltier (collectively, the "Property Owners") entered into that certain Option Agreement whereby the City obtained an option to purchase a portion of the Property Owners' property and various easements (the "Option Agreement"); and

WHEREAS, the City has determined that it would like to exercise its option to purchase a portion of the property that is legally described and shown on the attached Exhibit A, a drainage and utility easement, and a temporary construction easement (said easements are legally described and shown on the attached Exhibit B)(the "Easements"); and

WHEREAS, this Resolution shall constitute the written notice that is required by Section 5 of the Option Agreement of the City's intent to exercise the option; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City hereby exercises its option to purchase the property that is legally described and shown on the attached Exhibit A and the Easements that are described and shown on the attached Exhibit B.
2. The City Administrator shall deliver a copy of this Resolution to the Property Owners. This Resolution shall constitute the written notice that is required by Section 5 of the Option Agreement.
3. City officials, staff, and consultants are authorized to take all actions necessary to perform the City's obligations under the Option Agreement as a whole, including, without limitation, execution of any documents to which the City is a party referenced in or attached to the Option Agreement and any other documents necessary for the property and the Easements to be conveyed by the Property Owners to the City, as described in the Option Agreement.

Passed and duly adopted this 7th day of December, 2021 by the City Council of the City of Lake Elmo, Minnesota.


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk

EXHIBIT A

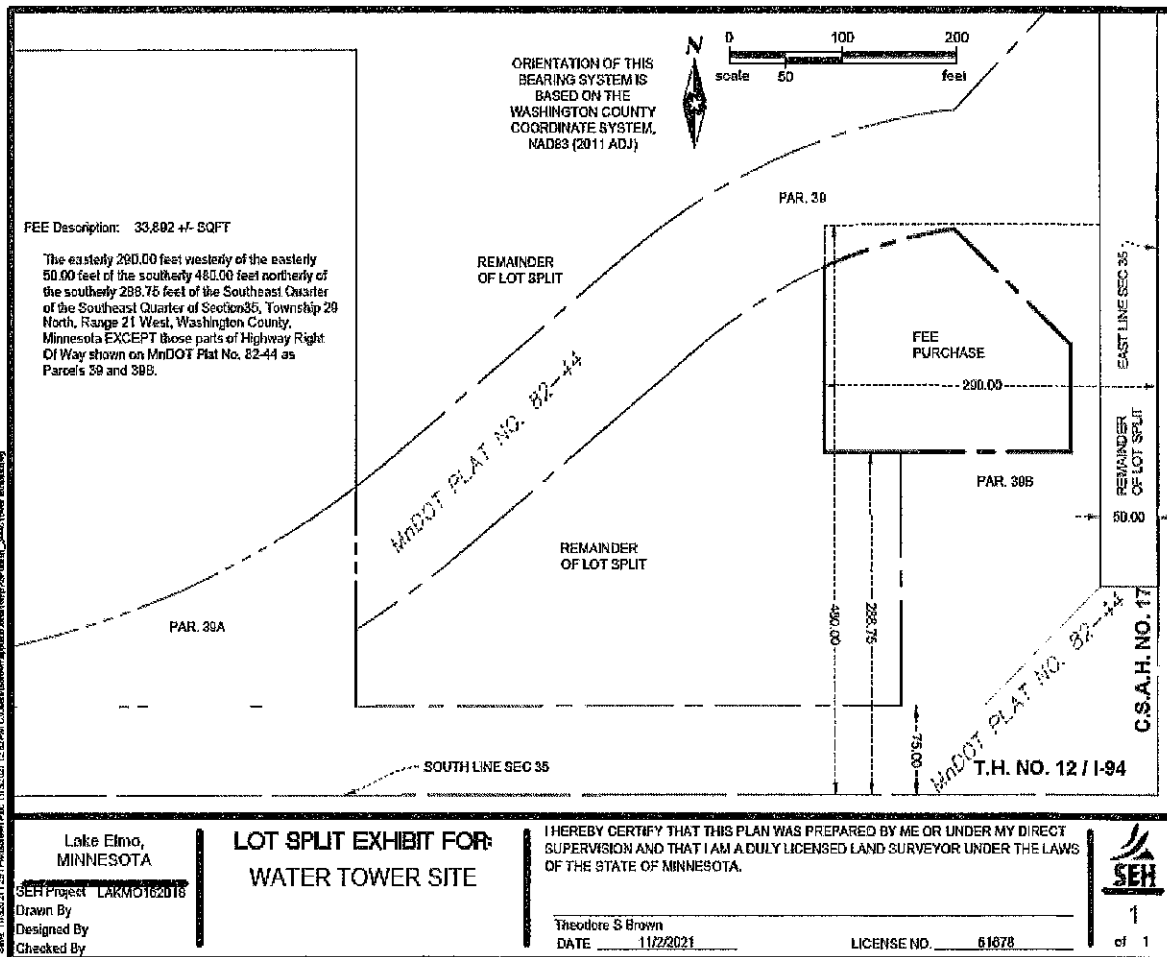
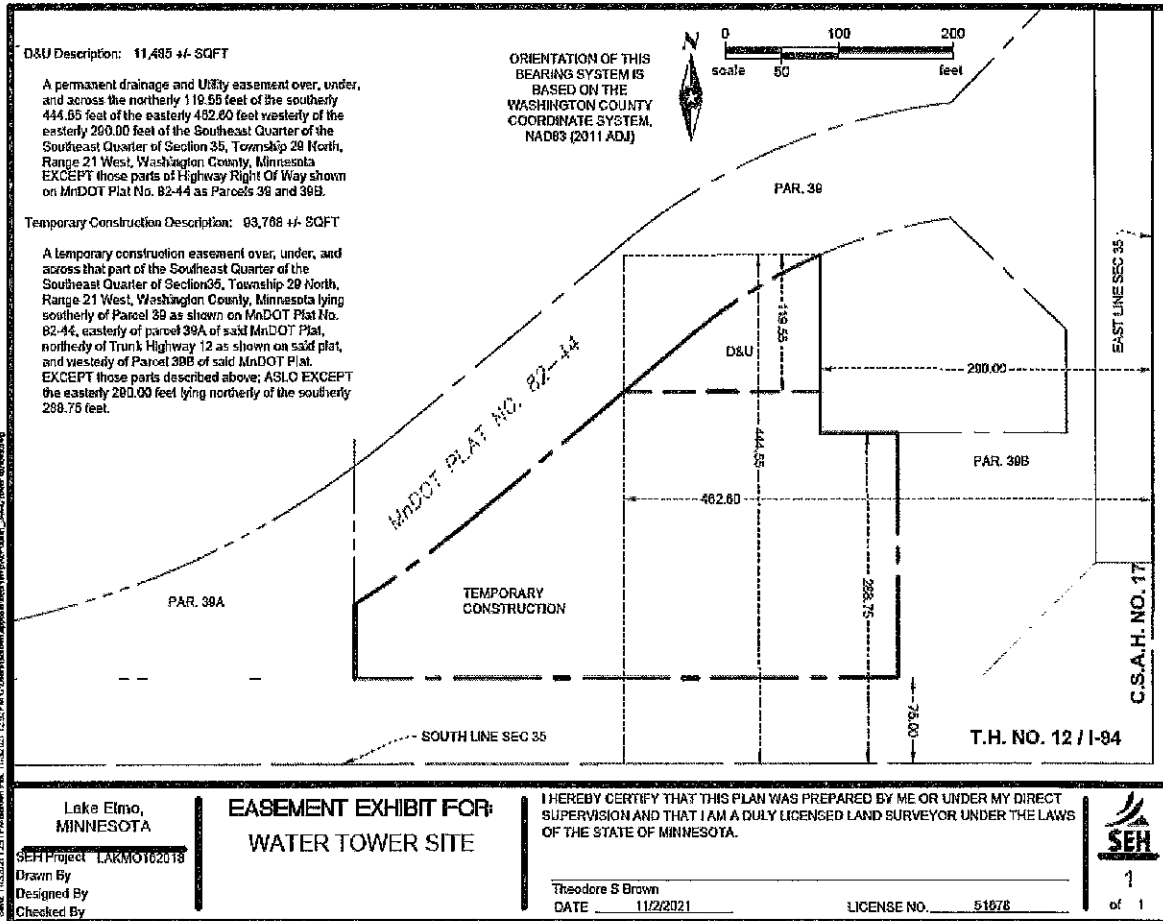


EXHIBIT B

Legal Descriptions and Depictions of the Easements to be Acquired by the City



Lake Elmo,
 MINNESOTA
 SEH Project LARMO162018
 Drawn By
 Designed By
 Checked By

EASEMENT EXHIBIT FOR:
WATER TOWER SITE

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Theodore S Brown
 DATE 11/2/2021 LICENSE NO. 51876

SEH
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