



DATE: October 19, 2021
REGULAR/ASSESSMENT HEARING

AGENDA ITEM: Adopt Final Assessment Roll for the Old Village Phase 5 and 6: Street and Utility Improvements

SUBMITTED BY: Jack Griffin, City Engineer
REVIEWED BY: Kristina Handt, City Administrator
Sarah Sonsalla, City Attorney
Marty Powers, Public Works Director
Chad Isakson, Project Engineer

ISSUE BEFORE COUNCIL: Should the City Council adopt the final assessment roll for the Old Village Phase 5 and 6 Street and Utility Improvements?

BACKGROUND: As part of the Old Village Capital Improvement Plan, the City of Lake Elmo is extending sanitary sewer to serve the existing properties in the Old Village area to replace the use of individual on-site treatment systems or community owned 201 wastewater treatment systems. The Improvements are being constructed in phases and through separate projects. The first four phases were constructed in 2015, 2016, 2017, and 2018. Phases 5 and 6 are being implemented as one project constructed over two years and construction is currently in progress in 2021 and 2022. The Phase 5 and 6 project also includes the replacement of the aged watermain along the project corridors and reconstructing the public streets that are disturbed during the work. Drainage improvements are included to provide surface and subsurface street and right-of-way drainage to protect the new street infrastructure.

Old Village Phase 5 and 6 Improvements, include street, drainage, watermain and sanitary sewer improvements along 32nd Street North, from Lake Elmo Avenue west to 33rd Street North; 33rd Street North, from Lake Elmo Avenue west to 32nd Street North; 33rd Street Lane North; Kraft Circle North; Lampert Avenue North, from 33rd Street North south to 32nd Street North; Langly Court North; Upper 33rd Street North, from Lake Elmo Avenue west to dead end; 34th Street North, from Lake Elmo Avenue west to dead end; 36th Street North along trail easement, from Lake Elmo Avenue west to dead end; and along the Private Driveway, from Lake Elmo Avenue east to dead end, including 3407, 3409, 3411, 3413, 3415 Lake Elmo Avenue.

On September 21, 2021, the City Council approved a Resolution declaring the costs to be assessed, ordering the preparation of the proposed assessment, and calling for the hearing on proposed assessment. Mailed notice has been provided to each assessed property and notice of the public hearing has been published in the local paper.

PROPOSAL DETAILS/ANALYSIS: Pursuant to Minnesota Statutes, Section 429 the Council must declare the amount to be assessed against the benefitting properties and the hearing on the proposed assessment for these improvements must be conducted. Staff has attached a Final Assessment Roll which must be certified to the County Auditor by November 30, 2021.

Consistent with previous project phases, the Old Village Phase 5 and 6 Street and Utility Improvements will be partially financed by imposing special assessments against the benefiting properties. Special assessments are levied in accordance with Minnesota Statutes Chapter 429 and consistent with the City's Special Assessment Policy and the Old Village Sewer Assessment Policy. The final assessment roll for the project is attached as part of the council packet. The proposed final assessments are generally consistent with the adopted preliminary assessment roll, with the exceptions outlined below, and were determined in accordance with the City's Special Assessment Policies. The street and storm sewer improvements will be levied over a 15-year period, the sanitary sewer improvements will be levied over a 20-year period, and the watermain assessments will be levied over a 20-year period. Assessments will be charged an interest rate of 3.25% (1% over the anticipated bond rate for the project).

There are three unique assessment circumstances shown on the assessment roll. In accordance with the City assessment policy there is one property along the project that is being assessed 50% of the unit assessment because they have a driveway access to two different streets and will be assessed for improvements along each street. Two other properties are proposed to be assessed 2-unit assessments since the property can be subdivided under the current zoning and land use designations.

Some changes in the proposed assessments have been made from the preliminary assessment roll to the final assessment to account for the following property information/updates:

- Met Council's Sewer Availability Charge (SAC) determinations on commercial and apartment building properties resulted in the reduction of overall SAC units; reducing the unit assessments for 2 4-Plex apartment buildings from 4 SAC units to 3 SAC units, and reducing a commercial property from 16 SAC units to 13 SAC units. Met Council SAC determination worksheets are on file with the city.
- Revised street and storm sewer assessments were calculated using an adjusted front footage for commercial properties along Upper 33rd Street and for 3394 Lake Elmo Avenue based on direction provided by the City Council at the workshop held on June 8, 2021.

Lake Elmo Avenue Private Driveway: The scope of work included in the project includes the extension of sanitary sewer and public watermain along a private driveway, extending east of Lake Elmo Avenue to serve 5 platted properties. Three (3) of the properties have existing residential homes and the other two properties remain undeveloped. An exhibit is attached for reference.

At the request of the City and property owners, the Minnesota Department of Health (MDH) tested the private wells of the three existing homes for PFAS levels. Test results show one of the three exceeded the current health-based limits. Due to the positive test result, city staff submitted a request to the MPCA for 3M Settlement Grant Funds to cover the watermain extension and connection to city water for these properties. The request was reviewed and funding was denied.

Construction of this portion of the improvement is scheduled to occur in 2022, but the current assessment roll identifies a \$27,000 assessment for City water for each of the 5 parcels. The \$27,000 assessment does not include the private water service connection costs and fees. If water is extended in 2022, each parcel will be assessed. The 2 undeveloped parcels would be eligible to defer the assessments until such time that the property develops. Staff is seeking direction on proceeding with the installation of the public watermain along this private driveway and certifying assessments as proposed, or eliminating the improvements from the scope of work. These properties are within the City's Municipal Urban Service Area (MUSA) designating areas intended to be served by public sanitary sewer and water. The Final Assessment Roll as included in this Agenda packet includes the watermain assessments for these properties, and an amended assessment roll for this area is included should the direction from the council be to eliminate the public watermain extension to this area.

FISCAL IMPACT: The estimated total cost for the project is \$9,082,705; including \$3,533,500 for the street, drainage, and storm sewer improvements, \$4,032,905 for the sanitary sewer improvements, and \$1,516,300 for the water system improvements. Of these costs, \$2,393,042 will be funded through special

assessments. Holding the final assessment hearing follows state statute for assessing benefitting properties and adopting the final assessment roll finalizes the special assessments to be levied for the improvements.

RECOMMENDATION: Staff is seeking direction from the City Council in regards to extending public watermain along the private driveway, east of Lake Elmo Avenue to serve the properties at 3407, 3409, 3411, 3413, 3415 Lake Elmo Avenue. The recommended motion for this action is as follows:

“Move to direct Staff to continue with the installation of the public watermain along the private driveway, east of Lake Elmo Avenue, to serve to properties at 3407, 3409, 3411, 3413, 3415 Lake Elmo Avenue.”

Or

“Move to direct Staff to eliminate through change order, the installation of the public watermain and corresponding assessments along the private driveway, east of Lake Elmo Avenue, from the scope of the Improvements.”

Staff is further recommending that the City Council approve a resolution adopting the Final Assessment Roll, or as amended to remove the watermain assessments along the private driveway east of Lake Elmo Avenue and to remove the sanitary sewer assessments for 3409 and 3411 Lake Elmo Avenue, for the Old Village Phase 5 and 6 Street and Utility Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2021-112, Adopting the Final Assessment Roll, or as amended (to remove the watermain assessments along the private driveway east of Lake Elmo Avenue, and to remove the sanitary sewer assessments for 3409 and 3411 Lake Elmo Avenue), for the Old Village Phase 5 and 6 Street and Utility Improvements.”

Staff is further recommending that the City Council approve a resolution deferring the water and sanitary sewer assessments for the unimproved properties including 3409 and 3411 Lake Elmo Avenue as outlined in the resolution, if both public watermain and sanitary sewer are extended to these properties. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2021-113, Deferring Special Assessments Against Certain Unimproved Properties (3409 and 3411 Lake Elmo Avenue North).”

ATTACHMENTS:

1. Resolution Adopting the Final Assessment Roll.
2. Notice of Hearing on Proposed Assessment.
3. Final Assessment Roll (and as may be amended).
4. Exhibit: Private Driveway Public Watermain Extension.
5. Resolution Deferring Water and Sewer Assessments for 3409 and 3411 Lake Elmo Avenue.

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

RESOLUTION NO. 2021-112

**A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR
OLD VILLAGE PHASE 5 & 6 STREET AND UTILITY IMPROVEMENTS**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the Old Village Phase 5 and 6 Street, Drainage, and Utility Improvements, including street, drainage, watermain and sanitary sewer improvements along 32nd Street North, from Lake Elmo Avenue west to 33rd Street North; 33rd Street North, from Lake Elmo Avenue west to 32nd Street North; 33rd Street Lane North; Kraft Circle North; Lampert Avenue North, from 33rd Street North south to 32nd Street North; Langly Court North; Upper 33rd Street North, from Lake Elmo Avenue west to dead end; 34th Street North, from Lake Elmo Avenue west to dead end; 36th Street North along trail easement, from Lake Elmo Avenue west to dead end; and along the Private Driveway, from Lake Elmo Avenue east to dead end, including 3407, 3409, 3411, 3413, 3415 Lake Elmo Avenue.

NOW, THEREFORE, BE IT RESOLVED,

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over 15 years for street and drainage improvements and 20 years for watermain and sanitary sewer improvements, the first of the installments to be payable on or before the first Monday in January, 2022 and shall bear interest at the rate of 3.25 percent per annum from the adoption date of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2021. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF
OCTOBER, 2021.**

CITY OF LAKE ELMO

By: _____
Charles Cadenhead
Mayor

(Seal)
ATTEST:

Julie Johnson
City Clerk

CITY OF LAKE ELMO
NOTICE OF HEARING ON PROPOSED ASSESSMENT
OLD VILLAGE PHASE 5 AND 6 STREET AND UTILITY IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will conduct a public hearing on **Tuesday October 19, 2021** at, or approximately after, 7:00 P.M. to consider, and possibly adopt, the proposed assessment against abutting properties for the Old Village Phase 5 and 6 Street and Utility Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following describes the area proposed to be assessed:

Street and drainage improvements, watermain improvements, and sanitary sewer improvements including new municipal sanitary sewer service to replace individual on-site septic systems; a reconstructed bituminous street with new concrete curb and gutter; and a repair or restoration of the existing street drainage system for the following areas:

- 32nd Street Neighborhood:
 - 32nd Street North, from Lake Elmo Avenue west to 33rd Street North;
 - 33rd Street North, from Lake Elmo Avenue west to 32nd Street North;
 - 33rd Street Lane North;
 - Kraft Circle North, from 33rd Street North south to dead end;
 - Lampert Avenue North, from 33rd Street North south to 32nd Street North;
 - Langly Court North, from 33rd Street North south to dead end;
- Upper 33rd Street North, from Lake Elmo Avenue west to dead end;
- 34th Street North, from Lake Elmo Avenue west to dead end;
- 36th Street North along trail easement, from Lake Elmo Avenue west to dead end;
- Private Driveway, from Lake Elmo Avenue east to dead end, including 3407, 3409, 3411, 3413, 3415 Lake Elmo Avenue.

You may at any time prior to certification of the assessment to the county auditor on November 19, 2021, pay the entire assessment on such property to the City Clerk with interest accrued to the date of payment. No interest shall be charged if the entire assessment is paid to the City Clerk prior to November 18, 2021. You may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 (for the assessment to be certified to County Auditor) or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 3.25 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 15 years for street and drainage improvements and 20 years for watermain and sanitary sewer improvements, the first of the installments to be payable on or before the first Monday in January 2022 and will bear interest at the

rate of 3.25 percent per annum from the date of adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2021. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed street improvement assessment is \$1,120,542. The total amount of the proposed sanitary sewer improvement assessment is \$1,137,500. The total amount of the proposed watermain assessment is \$135,000. The City contribution for the overall improvement project is \$6,689,663. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

The City Council is authorized in its discretion to defer the payment of an assessment for any homestead property owned by a person for whom it would be a hardship to make payment if the owner is 65 years of age or older and/or the owner is a person retired by virtue of a permanent and total disability or by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05 subdivision 5b or 5c, as stated in the person's military orders, for whom it would be a hardship to make the payments. The owner must request a deferment of the assessment at or before the public hearing at which the assessment is adopted and make application on forms prescribed by the City Clerk within 30 days after the adoption.

Notwithstanding the standards and guidelines established by the City for determining a hardship, a deferment of an assessment may be obtained pursuant to Minnesota Statutes Section 435.193.

DATED: September 21, 2021

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

(Published in the Stillwater Gazette on September 24, 2021)

OLD VILLAGE PHASE 5 AND 6: STREET AND UTILITY IMPROVEMENTS
32ND STREET NEIGHBORHOOD
FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	MAILING ADDRESS	PID	TOTAL ASSESSMENT AMOUNT	STREET AND DRAINAGE ASSESSMENT AMOUNT	STREET AND DRAINAGE IMPROVEMENT UNITS	COMMERCIAL PROPERTY STREET FRONT FOOTAGE	SANITARY SEWER ASSESSMENT AMOUNT	SAC
1	HORTTOR CAROLYN M SMITH		1959 PARK DR N MAPLEWOOD MN 55119	1302921330042	\$6,850.00	\$6,850.00	0.5		\$0.00	0
2	KNOWLAN AMY C & MATTHEW J	11075 32ND ST N	11075 32ND ST N LAKE ELMO MN 55042	1302921330022	\$26,200.00	\$26,200.00	1		\$12,500.00	1
3	BIEVER DOUGLAS & KELLY	11055 32ND ST N	11055 32ND ST N LAKE ELMO MN 55042	1302921330023	\$26,200.00	\$13,700.00	1		\$12,500.00	1
4	NEUMANN PAUL & NANCY	11033 32ND ST N	6908 27TH ST N OAKDALE MN 55128	1302921330024	\$26,200.00	\$13,700.00	1		\$12,500.00	1
5	MEHSIKOMER JOYCE H	11015 32ND ST N	PO BOX 47 LAKE ELMO MN 55042	1302921330026	\$26,200.00	\$13,700.00	1		\$12,500.00	1
6	SCHMOECKEL DAVID R & DARLENE B	10997 32ND ST N	1019 INSPIRATION PKY N BAYPORT MN 55003	1302921330027	\$38,700.00	\$13,700.00	1		\$25,000.00	2
7	MICHAEL G MCGRATH 2011 IRREV TRS	10975 32ND ST N	4 ASCONA TERR LANCHO MIRAGI CA 92270	1402921440009	\$26,200.00	\$13,700.00	1		\$12,500.00	1
8	GUENTZEL JAKE A	10961 32ND ST N	10961 32ND ST N LAKE ELMO MN 55042	1402921440010	\$26,200.00	\$13,700.00	1		\$12,500.00	1
9	FINN MIKE J & DONNA M	10949 32ND ST N	10949 32ND ST N LAKE ELMO MN 55042	1402921440011	\$26,200.00	\$13,700.00	1		\$12,500.00	1
10	MARTIN DANIEL D	10941 32ND ST N	10941 32ND ST N LAKE ELMO MN 55042	1402921440012	\$26,200.00	\$13,700.00	1		\$12,500.00	1
11	BOHJANEN PAUL R & KIMBERLY A	10929 32ND ST N	1481 THORNHILL LN WOODBURY MN 55125	1402921440013	\$26,200.00	\$13,700.00	1		\$12,500.00	1
12	LACHER RICHARD J	10917 32ND ST N	10917 32ND ST N LAKE ELMO MN 55042	1402921440014	\$26,200.00	\$13,700.00	1		\$12,500.00	1
13	PROKOSCH JOHN T & DEBRA J	10907 32ND ST N	10907 32ND ST N LAKE ELMO MN 55042	1402921440015	\$26,200.00	\$13,700.00	1		\$12,500.00	1
14	DOWNS MICHAEL P & PATRICIA E KORLIN-DOWNS	10899 32ND ST N	10899 32ND ST N LAKE ELMO MN 55042	1402921440016	\$26,200.00	\$13,700.00	1		\$12,500.00	1
15	BOUTHILET COLLEEN M & TERRANCE	10891 32ND ST N	10891 32ND ST N LAKE ELMO MN 55042	1402921440017	\$26,200.00	\$13,700.00	1		\$12,500.00	1
16	KNUDSON SCOTT L & SARALYN S	10865 32ND ST N	10865 32ND ST N LAKE ELMO MN 55042	1402921440018	\$26,200.00	\$13,700.00	1		\$12,500.00	1
17	CITY OF LAKE ELMO		3880 LAVERNE AVE N LAKE ELMO MN 55042	1402921440024	\$13,700.00	\$13,700.00	1		\$0.00	0
18	SAVELKOU RICHARD & SHANNON	10823 32ND ST N	10823 32ND ST N LAKE ELMO MN 55042	1402921440025	\$26,200.00	\$13,700.00	1		\$12,500.00	1
19	EMMONS BRETT H & JEAN I	3280 KLONDIKE AVE N	3280 KLONDIKE AVE N LAKE ELMO MN 55042	1402921430002	\$26,200.00	\$13,700.00	1		\$12,500.00	1
20	SCHMIDT WARREN ROBERT	3240 LAKE ELMO AVE N	3240 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921330028	\$26,200.00	\$13,700.00	1		\$12,500.00	1
21	HOSEK MARIAN S	11120 32ND ST N	PO BOX 166 LAKE ELMO MN 55042-0166	1302921320089	\$26,200.00	\$13,700.00	1		\$12,500.00	1
22	ARDELL GEORGE HUTTON & DEBORAH JEAN SMITH-HUTTON LIV TF	11108 32ND ST N	11108 32ND ST N LAKE ELMO MN 55042	1302921320062	\$26,200.00	\$13,700.00	1		\$12,500.00	1
23	PEACOCK BRUCE T & MARA K CROMBIE	11090 32ND ST N	11090 32ND ST N LAKE ELMO MN 55042	1302921320064	\$26,200.00	\$13,700.00	1		\$12,500.00	1
24	TUREK ELIZABETH A	11060 32ND ST N	11060 32ND ST N LAKE ELMO MN 55042	1302921320063	\$26,200.00	\$13,700.00	1		\$12,500.00	1
25	REED CORRINNE J	11020 32ND ST N	11020 32ND ST N LAKE ELMO MN 55042	1302921330039	\$26,200.00	\$13,700.00	1		\$12,500.00	1
26	VANDEN BRANDEN KURT & CATHERINE M VANDEN BRANDEN	11008 32ND ST N	11008 32ND ST N LAKE ELMO MN 55042	1302921330038	\$26,200.00	\$13,700.00	1		\$12,500.00	1
27	LOVE MARK J & JENNIFER M	10940 32ND ST N	10940 32ND ST N LAKE ELMO MN 55042	1402921440008	\$26,200.00	\$13,700.00	1		\$12,500.00	1
28	WALLACE JOSEPH	10920 32ND ST N	10920 32ND ST N LAKE ELMO MN 55042	1402921440019	\$26,200.00	\$13,700.00	1		\$12,500.00	1
29	RUL PROPERTY MANAGEMENT & DEVELOPMENT LLC	3394 LAKE ELMO AVE N	4605 LILY AVE N LAKE ELMO MN 55042	1302921320001	\$12,792.00	\$12,792.00	0	82	\$0.00	0
30	KNAAK WILLIAM	11057 33RD ST N	11057 33RD ST N LAKE ELMO MN 55042	1302921320003	\$26,200.00	\$13,700.00	1		\$12,500.00	1
31	JECHORT MARK H & JANE E	11035 33RD ST N	11035 33RD ST N LAKE ELMO MN 55042	1302921320070	\$26,200.00	\$13,700.00	1		\$12,500.00	1
32	BRUCHU JOSEPH ETAL	10919 33RD ST LN N	10919 33RD ST LN N LAKE ELMO MN 55042	1402921410014	\$26,200.00	\$13,700.00	1		\$12,500.00	1
33	GROBNER DAVID ALLEN & DEBRA K	10867 33RD ST N	10867 33RD ST N LAKE ELMO MN 55042	1402921410018	\$26,200.00	\$13,700.00	1		\$12,500.00	1
34	KROOK BRIAN	10833 33RD ST N	10833 33RD ST N LAKE ELMO MN 55042	1402921410021	\$39,900.00	\$27,400.00	2		\$12,500.00	1
35	HAGBERG KEITH A	10825 33RD ST N	10825 33RD ST N LAKE ELMO MN 55042	1402921410020	\$39,900.00	\$27,400.00	2		\$12,500.00	1
36	KOTASEK RANDY T & DENISE V	3338 LANGLEY CT N	3338 LANGLEY CT N LAKE ELMO MN 55042	1302921320078	\$26,200.00	\$13,700.00	1		\$12,500.00	1
37	CITY OF LAKE ELMO	3303 LANGLEY CT N	3800 LAVERNE AVE N LAKE ELMO MN 55042	1302921320069	\$13,700.00	\$13,700.00	1		\$0.00	0
38	DAHLBLOM STEVEN D	3343 LANGLEY CT N	2971 JONQUIL TRL N LAKE ELMO MN 55042	1302921320081	\$78,600.00	\$41,100.00	3		\$37,500.00	3
39	DAHLBLOM STEVEN D		2971 JONQUIL TRL N LAKE ELMO MN 55042	1302921320080	\$13,700.00	\$13,700.00	1		\$0.00	0
40	DAHLBLOM STEVEN D		2971 JONQUIL TRL N LAKE ELMO MN 55042	1302921320076	\$13,700.00	\$13,700.00	1		\$0.00	0
41	KOHTZ CHRISTOPHER A & ALLISON	3327 LAMPERT AVE N	3327 LAMPERT AVE N LAKE ELMO MN 55042	1302921320066	\$26,200.00	\$13,700.00	1		\$12,500.00	1
42	HARDT NICHOLAS & ALANA	3309 LAMPERT AVE N	3309 LAMPERT AVE N LAKE ELMO MN 55042	1302921320067	\$26,200.00	\$13,700.00	1		\$12,500.00	1
43	SMITH JUSTIN A	3291 LAMPERT AVE N	3291 LAMPERT AVE N LAKE ELMO MN 55042	1302921320068	\$26,200.00	\$13,700.00	1		\$12,500.00	1
44	BERG JEFFREY J & DEBORAH L	3271 LAMPERT AVE N	3271 LAMPERT AVE N LAKE ELMO MN 55042	1302921320065	\$26,200.00	\$13,700.00	1		\$12,500.00	1
45	LENGVEL DAVID J	3330 LAMPERT AVE N	3330 LAMPERT AVE N LAKE ELMO MN 55042	1302921320071	\$26,200.00	\$13,700.00	1		\$12,500.00	1
46	ARNDT HARRIETT I & HOAGIE R	3316 LAMPERT AVE N	3316 LAMPERT AVE N LAKE ELMO MN 55042	1302921320072	\$26,200.00	\$13,700.00	1		\$12,500.00	1
47	WAGNER LINDA K	3286 LAMPERT AVE N	3286 LAMPERT AVE N LAKE ELMO MN 55042	1302921320073	\$26,200.00	\$13,700.00	1		\$12,500.00	1
48	VIGDAHL RODGER L & PATRICIA L	3268 LAMPERT AVE N	3268 LAMPERT AVE N LAKE ELMO MN 55042	1302921320074	\$26,200.00	\$13,700.00	1		\$12,500.00	1
49	KOTOWSKI SUSAN & TADEAUS	3331 KRAFT CIR N	3331 KRAFT CIR N LAKE ELMO MN 55042	1402921410009	\$26,200.00	\$13,700.00	1		\$12,500.00	1
50	KARROW RYAN	3311 KRAFT CIR N	3311 KRAFT CIR N LAKE ELMO MN 55042	1402921410010	\$26,200.00	\$13,700.00	1		\$12,500.00	1
51	PLATZ ROBERT T & PAMELA JB	3281 KRAFT CIR N	3281 KRAFT CIR N LAKE ELMO MN 55042	1402921410011	\$26,200.00	\$13,700.00	1		\$12,500.00	1
52	DESCHAMP-SCHMITZ MANDIE L	3265 KRAFT CIR N	3265 KRAFT CIR N LAKE ELMO MN 55042	1402921410012	\$26,200.00	\$13,700.00	1		\$12,500.00	1
53	VIVONA DANIEL M	3253 KRAFT CIR N	3253 KRAFT CIR N LAKE ELMO MN 55042	1402921440003	\$26,200.00	\$13,700.00	1		\$12,500.00	1
54	STEINKE DOUGLAS G & KATHRYN M SCHIFFERDECKER	3250 KRAFT CIR N	3250 KRAFT CIR N LAKE ELMO MN 55042	1402921440032	\$26,200.00	\$13,700.00	1		\$12,500.00	1
55	CITY OF LAKE ELMO		3800 LAVERNE AVE N LAKE ELMO MN 55042	1402921410023	\$13,700.00	\$13,700.00	1		\$0.00	0
56	STARK MICHAEL & ANNE	3284 KRAFT CIR N	3284 KRAFT CIR N LAKE ELMO MN 55042	1402921410022	\$26,200.00	\$13,700.00	1		\$12,500.00	1
57	MOLLERUD COLTON & STEPHANIE OLSON	3308 KRAFT CIR N	3308 KRAFT CIR N LAKE ELMO MN 55042	1402921410028	\$26,200.00	\$13,700.00	1		\$12,500.00	1
58	GORMAN JASON	3328 KRAFT CIR N	13233 22ND ST N STILLWATER MN 55082	1402921410027	\$26,200.00	\$13,700.00	1		\$12,500.00	1
59	RYBERG NICHOLAS P & KATHRYN KERWIN-RYBERG	10925 33RD ST LN N	10925 33RD ST LN N LAKE ELMO MN 55042	1402921440020	\$26,200.00	\$13,700.00	1		\$12,500.00	1
60	SUSAN E MARKGRAF REV TRS	10915 33RD ST LN N	10915 33RD ST LN N LAKE ELMO MN 55042	1402921440021	\$26,200.00	\$13,700.00	1		\$12,500.00	1
61	MISENER JEREMY P & HOLLY M	10906 33RD ST LN N	10906 33RD ST LN N LAKE ELMO MN 55042	1402921410015	\$26,200.00	\$13,700.00	1		\$12,500.00	1
62	BRENNAN MARTIN	10902 33RD ST LN N	10902 33RD ST LN N LAKE ELMO MN 55042	1402921410016	\$26,200.00	\$13,700.00	1		\$12,500.00	1
TOTAL					\$1,621,442.00	\$896,442.00	64.5	82	\$725,000.00	58

*Properties in RED represent commercial lot

*Properties in GREEN represent an apartment building

**Properties in BLACK represent residential lots

*Properties in BLUE represent subdividable parcels

OLD VILLAGE PHASE 5 AND 6: STREET AND UTILITY IMPROVEMENTS
UPPER 33RD STREET NORTH
FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	MAILING ADDRESS	PID	TOTAL ASSESSMENT AMOUNT	STREET AND DRAINAGE ASSESSMENT AMOUNT (ADJUST FRONT FOOT)	ADJUSTED FRONT FOOTAGE	STREET FRONT FOOTAGE	SANITARY SEWER ASSESSMENT AMOUNT	SAC
1	SIMICH IV LLC	11123 UPPER 33RD ST N	1340 PARIS TR N STILLWATER MN 55082	1302921320096	\$21,200.00	\$8,700.00	40.3	98	\$12,500.00	1
2	SIMICH IV LLC		1340 PARIS TR N STILLWATER MN 55082	1302921320085	\$1,000.00	\$1,000.00	4.7	25	\$0.00	0
3	LAKE ELMO INN INC		PO BOX 182 LAKE ELMO MN 55042	1302921320010	\$7,600.00	\$7,600.00	35.2	186	\$0.00	0
4	QWEST		1025 ELDORADO BLVD BROOMFIELD CO 80021	1302921320008	\$2,400.00	\$2,400.00	11.3	60	\$0.00	0
5	JOHNSON ELIZABETH M		PO BOX 403 LAKE ELMO MN 55042	1302921320009	\$2,500.00	\$2,500.00	11.4	60	\$0.00	0
6	NOVAK PAUL R		3413 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921320007	\$6,100.00	\$6,100.00	28.3	150	\$0.00	0
7	JOHNSON ELIZABETH M		PO BOX 403 LAKE ELMO MN 55042	1302921320086	\$23,100.00	\$23,100.00	106.8	235	\$0.00	0
8	LAKE ELMO INN INC	11104 UPPER 33RD ST N	PO BOX 182 LAKE ELMO MN 55042	1302921320047	\$23,300.00	\$10,800.00	50.0	50	\$12,500.00	1
9	MARTIN DANIEL D	11090 UPPER 33RD ST N	10941 32ND ST N LAKE ELMO MN 55042	1302921320048	\$23,300.00	\$10,800.00	50.0	50	\$12,500.00	1
10	MARTIN DANIEL D		10941 32ND ST N LAKE ELMO MN 55042	1302921320049	\$10,800.00	\$10,800.00	50.0	50	\$0.00	0
11	NOVAK PAUL R	11074 UPPER 33RD ST N	3413 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921320050	\$20,100.00	\$7,600.00	150.0	150	\$12,500.00	1
12	NOVAK PAUL R		3413 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921320051	\$10,800.00	\$10,800.00	50.0	50	\$0.00	0
13	NOVAK PAUL R		3413 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921320052	\$27,000.00	\$27,000.00	125.0	125	\$0.00	0
14	DUNN ROBERT B TRS & SUSAN C HOPPER DUNN TRS	11018 UPPER 33RD ST N	PO BOX 153 LAKE ELMO MN 55042	1302921320090	\$20,100.00	\$7,600.00	125.0	125	\$12,500.00	1
15	MARTIN JILL M TRS	11002 UPPER 33RD ST N	11002 UPPER 33RD ST N LAKE ELMO MN 55042	1302921320054	\$20,100.00	\$7,600.00	76.0	76	\$12,500.00	1
16	LAKE ELMO INN INC	3442 LAKE ELMO AVE N	PO BOX 182 LAKE ELMO MN 55042	1302921320046	\$26,600.00	\$26,600.00	123.0	123	\$0.00	0
TOTAL					\$246,000.00	\$171,000.00	1,037	1,613	\$75,000.00	6

*Properties in RED represent commercial lots

**Properties in BLACK represent residential lots

PTEMBER 2021

					34TH STREET NORTH FINAL ASSESSMENT ROLL						TOTAL ASSESSMENT AMOUNT	STREET AND DRAINAGE ASSESSMENT AMOUNT	STREET AND DRAINAGE IMPROVEMENT UNITS	SANITARY SEWER ASSESSMENT AMOUNT	SAC	
NO.	NAME	ADDRESS			MAILING ADDRESS					PID						
1	JOHNSON STEPHEN D	11105	34TH	ST N	2915	LAKE ELMO	AVE N	LAKE ELMO	MN	55042	1302921320020	\$17,700.00	\$17,700.00	3	\$0.00	0
2	EVERSON ELIZABETH A	11075	34TH	ST N	11075	34TH	ST N	LAKE ELMO	MN	55042	1302921320018	\$18,400.00	\$5,900.00	1	\$12,500.00	1
3	GUSTAFSON STEPHEN TRS	11051	34TH	ST N	11051	34TH	ST N	LAKE ELMO	MN	55042	1302921320017	\$18,400.00	\$5,900.00	1	\$12,500.00	1
4	SCHILTZ GREGORY & COLLEEN	11098	34TH	ST N	PO	BOX 75		LAKE ELMO	MN	55042	1302921320023	\$5,900.00	\$5,900.00	1	\$0.00	0
5	EDER JOEL R & JUDITH H	11082	34TH	ST N	PO	BOX 127		LAKE ELMO	MN	55042	1302921320024	\$18,400.00	\$5,900.00	1	\$12,500.00	1
6	JOHN F SCHULTZ TRUST	11072	34TH	ST N	721	10TH	AVE N	SOUTH ST PAUL	MN	55075	1302921320015	\$18,400.00	\$5,900.00	1	\$12,500.00	1
7	CITY OF LAKE ELMO				3880	LAVERNE	AVE N	LAKE ELMO	MN	55042	1302921320012	\$5,900.00	\$5,900.00	1	\$0.00	0
TOTAL											\$103,100.00	\$53,100.00	9	\$50,000.00	4	

*Properties in GREEN represent apartment building

**Properties in BLACK represent residential lots

OLD VILLAGE PHASE 5 AND 6: STREET AND UTILITY IMPROVEMENTS
36TH STREET AREA
FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	MAILING ADDRESS	PID	TOTAL ASSESSMENT AMOUNT	STREET AND DRAINAGE ASSESSMENT AMOUNT	SANITARY SEWER ASSESSMENT AMOUNT	SAC
1	ZIEMER MICHAEL R & KAREN A	11091 STILLWATER BLVD N	11091 STILLWATER BLVD N LAKE ELMO MN 55042	1302921230043	\$12,500.00	\$0.00	\$12,500.00	1
2	GROBNER JOSHUA A	11079 STILLWATER BLVD N	11079 STILLWATER BLVD N LAKE ELMO MN 55042	1302921230042	\$12,500.00	\$0.00	\$12,500.00	1
3	BAILLIE JOHN W II & MARGARET J GUILFOYLE	11051 STILLWATER BLVD N	11051 STILLWATER BLVD N LAKE ELMO MN 55042	1302921230067	\$37,500.00	\$0.00	\$37,500.00	3
4	EDWARD THOMAS GORMAN FAMILY LIVING TRS	11011 STILLWATER BLVD N	12660 12TH ST N LAKE ELMO MN 55042	1302921230071	\$162,500.00	\$0.00	\$162,500.00	13
TOTAL					\$225,000.00	\$0.00	\$225,000.00	18

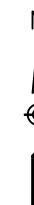
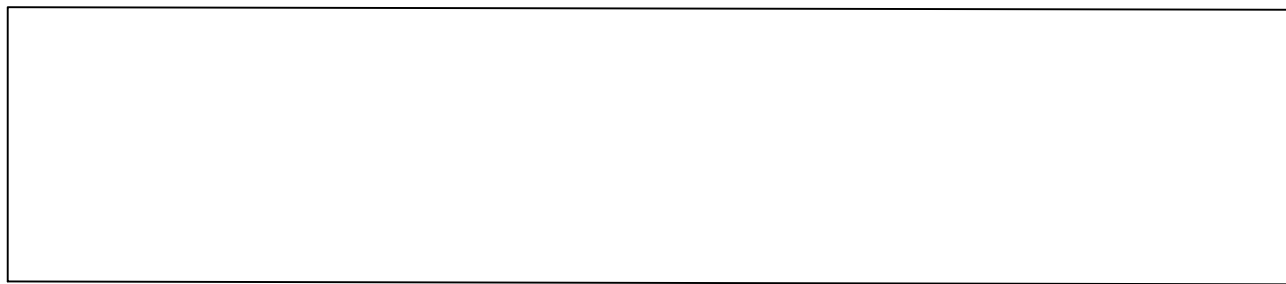
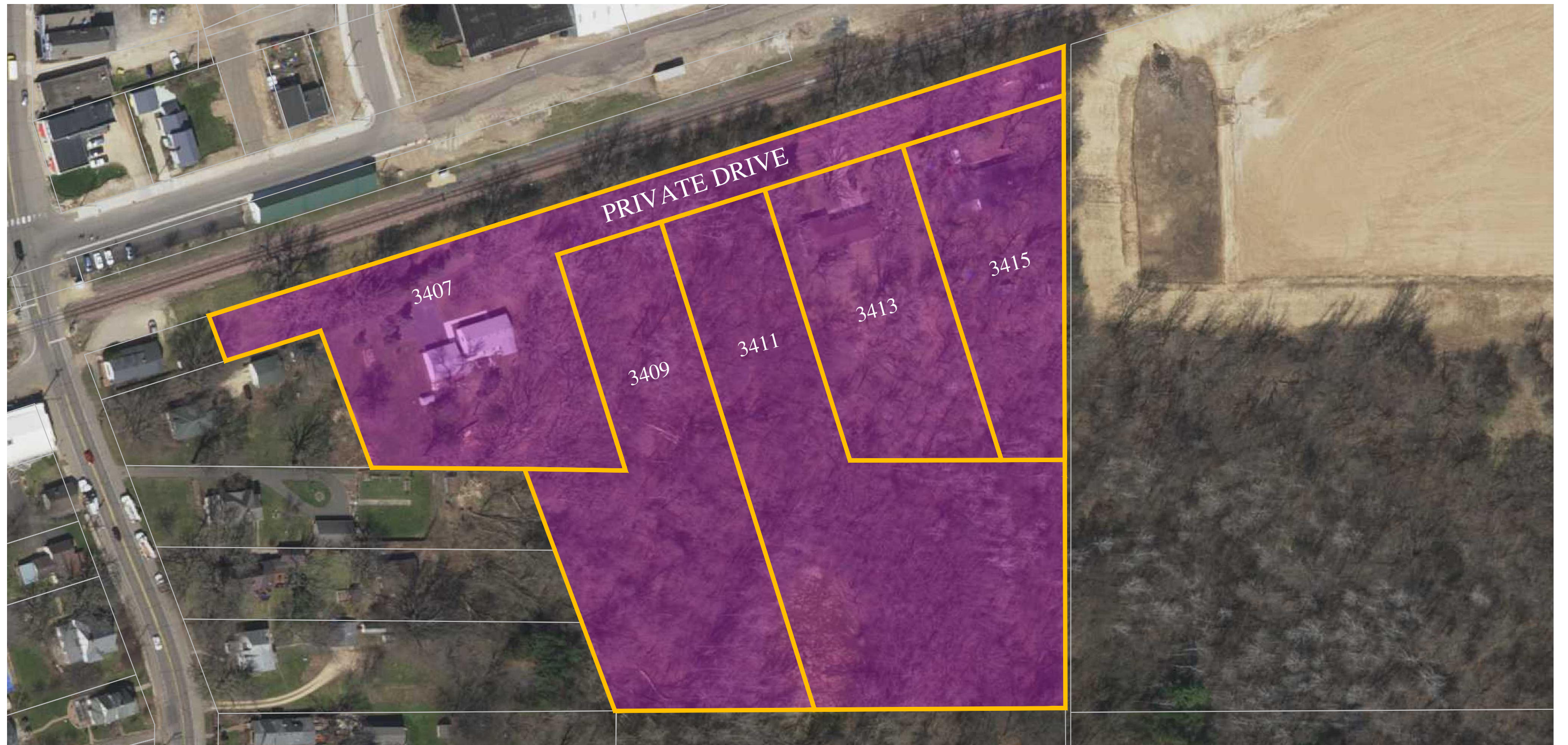
*Properties in RED represent commercial lots

**Properties in BLACK represent residential lots

OLD VILLAGE PHASE 5 AND 6: STREET AND UTILITY IMPROVEMENTS
LAKE ELMO AVENUE (PRIVATE DRIVEWAY)
FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	MAILING ADDRESS	PID	TOTAL ASSESSMENT AMOUNT	WATERMAIN ASSESSMENT AMOUNT	SANITARY SEWER ASSESSMENT AMOUNT	SAC
1	WALDEMAR JAMES D & BARBARA W	3407 LAKE ELMO AVE N	3407 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921310004	\$39,500.00	\$27,000.00	\$12,500.00	1
2	CHAPMAN JASON & ERIN	3409 LAKE ELMO AVE N	9580 53RD ST N LAKE ELMO MN 55042	1302921310019	\$39,500.00	\$27,000.00	\$12,500.00	1
3	SCHWARZ MICHAEL	3411 LAKE ELMO AVE N	4715 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921310020	\$39,500.00	\$27,000.00	\$12,500.00	1
4	NOVAK PAUL R	3413 LAKE ELMO AVE N	3413 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921310006	\$39,500.00	\$27,000.00	\$12,500.00	1
5	MACTAVISH KELSEY	3415 LAKE ELMO AVE N	3415 LAKE ELMO AVE N LAKE ELMO MN 55042	1302921310008	\$39,500.00	\$27,000.00	\$12,500.00	1
TOTAL					\$197,500.00	\$135,000.00	\$62,500.00	5

AMENDED												TOTAL	WATERMAIN	SANITARY		
										PID	ASSESSMENT	ASSESSMENT	ASSESSMENT	ASSESSMENT	SAC	
NO.	NAME	ADDRESS			MAILING ADDRESS						AMOUNT	AMOUNT	AMOUNT	AMOUNT		
1	WALDEMAR JAMES D & BARBARA W	3407	LAKE ELMO	AVE N	3407	LAKE ELMO	AVE N	LAKE ELMO	MN	55042	1302921310004	\$12,500.00	\$0.00	\$12,500.00	1	
2	CHAPMAN JASON & ERIN	3409	LAKE ELMO	AVE N	9580	53RD	ST N	LAKE ELMO	MN	55042	1302921310019	\$0.00	\$0.00	\$0.00		
3	SCHWARZ MICHAEL	3411	LAKE ELMO	AVE N	4715	LAKE ELMO	AVE N	LAKE ELMO	MN	55042	1302921310020	\$0.00	\$0.00	\$0.00		
4	NOVAK PAUL R	3413	LAKE ELMO	AVE N	3413	LAKE ELMO	AVE N	LAKE ELMO	MN	55042	1302921310006	\$12,500.00	\$0.00	\$12,500.00	1	
5	MACTAVISH KELSEY	3415	LAKE ELMO	AVE N	3415	LAKE ELMO	AVE N	LAKE ELMO	MN	55042	1302921310008	\$12,500.00	\$0.00	\$12,500.00	1	
										TOTAL	\$37,500.00	\$0.00	\$37,500.00	3		



FOCUS ENGINEERING, inc.



OLD VILLAGE PHASE 5&6: STREET,
DRAINAGE, AND UTILITY IMPROVEMENTS
PROJECT NO. 2019.116

PRIVATE DRIVE

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

**RESOLUTION NO. 2021-113
A RESOLUTION DEFERRING SPECIAL ASSESSMENTS AGAINST CERTAIN
UNIMPROVED PROPERTIES (3409 AND 3411 LAKE ELMO AVENUE N.)**

WHEREAS, the City of Lake Elmo (the “City”) has levied special assessments against benefitted properties for the Old Village Phase 5 and 6 Street and Utility Improvement Project for watermain and sanitary sewer improvements (the “Project”); and

WHEREAS, Jason Chapman and Erin Chapman are the fee owners of 3409 Lake Elmo Avenue N (PID 1302921310019), which is legally described on the attached Exhibit A (the “3409 Parcel”); and

WHEREAS, Michael Schwarz is the fee owner of 3411 Lake Elmo Avenue N (PID 1302921310020), which is legally described on the attached Exhibit B (the “3411 Parcel”); and

WHEREAS, the 3409 Parcel and the 3411 Parcel are unimproved; and

WHEREAS, Minnesota Statutes Section 429.061, subdivision 2, authorizes the City to defer assessments against unimproved property; and

WHEREAS, based on the foregoing, the City Council finds that it is reasonable and appropriate to defer \$27,000 which represents the water main improvement assessment for the 3409 Parcel; and

WHEREAS, based on the foregoing, the City Council finds that it is reasonable and appropriate to defer \$27,000 which represents the water main improvement assessment for the 3411 Parcel; and

WHEREAS, based on the foregoing, the City Council finds that it is reasonable and appropriate to defer \$12,500 which represents the sanitary sewer improvement assessment for the 3409 Parcel; and

WHEREAS, based on the foregoing, the City Council finds that it is reasonable and appropriate to defer \$12,500 which represents the sanitary sewer improvement assessment for the 3411 Parcel; and

NOW, THEREFORE, BE IT RESOLVED,

1. Special assessments for the Project against the 3409 Parcel in the total principal amount of \$39,500.00 are deferred until the first to occur of any of the following:

- a. The sale of the 3409 Parcel;
- b. The issuance of a building permit for construction of improvements on the 3409 Parcel;

- c. The replatting or division of the 3409 Parcel or the combination of any part of the 3409 Parcel with other property; or
- d. The date 30 years from the date of this Resolution.

Whereupon said special assessments, together with accrued interest, shall be due and payable.

2. Special assessments for the Project against the 3411 Parcel in the total principal amount of \$39,500.00 are deferred until the first to occur of any of the following:

- a. The sale of the 3411 Parcel;
- b. The issuance of a building permit for construction of improvements on the 3411 Parcel;
- c. The replatting or division of the 3411 Parcel or the combination of any part of the 3411 Parcel with other property; or
- d. The date 30 years from the date of this Resolution.

Whereupon said special assessment, together with accrued interest, shall be due and payable.

3. Interest on the principal amounts stated in paragraphs 1 and 2 of this Resolution will accrue at the rate of 3.25 percent per annum until paid.

4. The City Clerk shall forthwith transmit a certificate with the County Recorder stating the legal descriptions of the 3409 Parcel and the 3411 Parcel and the amounts of the deferred assessments.

5. The City's decision to defer the special assessments with respect to the 3409 Parcel and the 3411 Parcel due to the fact that they may be able to be developed does not constitute an approval or acknowledgment by the City that the 3409 Parcel or the 3411 Parcel are able to be platted, subdivided, or improved.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF OCTOBER, 2021.

CITY OF LAKE ELMO

(Seal)
ATTEST:

By: _____
Charles Cadenhead
Mayor

Julie Johnson
City Clerk

EXHIBIT A

Legal Description of the 3409 Parcel

All that part of Lot Forty-one (41) and all that part of Lot Forty-seven (47), COUNTY AUDITOR'S PLAT NO. 8, described as follows:

All that part of the Southwest Quarter of Section 13, Township 29 North, Range 21 West, which is known and designated as Lot Din a survey of land, a plat of which is attached and made a part of that certain deed recorded in the office of the County Recorder of Washington County, Minnesota, on the 16th day of December, 1910, in Book 70 of Deeds, Page 547 thereof, described as follows, to-wit:

Commencing at a stone monument set in the southerly line of the right-of-way of the Chicago & Northwestern Railway Company (formerly Chicago, St. Paul, Minneapolis and Omaha Railway Company) at the intersection with the easterly line of the public road running North and South through the Village of Lake Elmo, and running thence South 21 degrees 17 minutes 48 seconds East, assumed bearing, along said easterly line, 124.97 feet, more or less, to the northwest corner of a tract of land described on Certificate of Title No. 43, thence North 89 degrees 40 minutes 12 seconds East along the northerly line of said tract described on Certificate of Title No. 43 a distance of 412.50 feet to the northeast corner thereof; thence South 89 degrees 53 minutes 23 seconds East, along a line hereinafter referred to as "Line A", to a point in the easterly line of said Lot D, 448.40 feet southerly of a stone monument located at the northeast corner thereof; thence North 00 degrees 58 minutes 35 seconds West along said easterly line 396.33 feet; thence South 71 degrees 43 minutes 25 seconds West 437.50 feet to the point of beginning of the parcel being described; thence continuing South 71 degrees 43 minutes 25 seconds West 112.50 feet; thence South 18 degrees 16 minutes 34 seconds East 234. 76 feet, more or less, to the point of intersection with the before described "Line A"; thence North 89 degrees 53 minutes 23 seconds West, along said "Line A" 104.81 feet, more or less, to the before described northeast corner of said tract of land described on Certificate of Title No. 43, said northeast corner also being the northwest corner of said Lot 47; thence South 21 degrees 17 minutes 48 seconds East, along the westerly line of said Lot 47, a distance of 265.50 feet, more or less, to the southwest corner thereof; thence North 88 degrees 49 minutes 14 seconds East, along the south line of said Lot 4 7, a distance of 207 .12 feet, more or less, to the intersection with a line which bears South 18 degrees 16 minutes 34 seconds East from the point of beginning; thence North 18 degrees 16 minutes 34 seconds West, along said line, 527.73 feet, more or less, to the point of beginning.

Torrens Certificate No. 76251

Parcel I.D. No. 13.029.21.31.0019

EXHIBIT B

Legal Description of the 3411 Parcel

All that part of Lot Forty-one (41) and all that part of Lot (47), COUNTY AUDITORS PLAT NO. 8, described as follows:

All that part of the Southwest Quarter of Section 13, Township 29 North, Range 21 West, which is known and designated as Lot D in a survey of land, a plat of which is attached and made a part of that certain deed recorded in the office of the County Recorder of Washington County, Minnesota, on the 16th day of December, 1910, in Book 70 of Deeds, Page 547 thereof, described as follows, to-wit:

Commencing at a stone monument set in the southerly line of the right-of-way of the Chicago & Northwestern Railway Company, (formerly Chicago, St. Paul, Minneapolis and Omaha Railway Company) at the northeast corner of said Lot D; thence South 00 degrees 58 minutes 35 seconds East, assumed bearing, along the easterly line of said Lot D, 429.92 feet to a point, said point being hereinafter referred to as "Point A"; thence North 00 degrees 58 minutes 35 seconds West, along said easterly line of Lot D, 377.85 feet; thence South 71 degrees 43 minutes 25 seconds West 325.00 feet to the point of beginning of the parcel being described; thence continuing South 71 degrees 43 minutes 25 seconds West 112.50 feet; thence South 18 degrees 16 minutes 34 seconds East 527. 73 feet, more or less, to the point of intersection with the south line of said Lot 47; thence North 88 degrees 49 minutes 14 seconds East, along said south line of Lot 47, a distance of 260.78 feet, more or less, to the southeast corner thereof; thence North 00 degrees 58 minutes 35 seconds West along said easterly line of Lot D, a distance of 255.18 feet, more or less, to the before described "Point A"; thence South 89 degrees 01 minutes 25 seconds West 222. 72 feet, more or less, to the intersection with a line which bears South 18 degrees 16 minutes 33 seconds East from the point of beginning; thence North 18 degrees 16 minutes 33 seconds West 294.53 feet, more or less, to the point of beginning.

Torrens Certificate No. 78735

Property I.D. No. 13.029.21.331.0020