

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

RESOLUTION NO. 2011-015

**A RESOLUTION APPROVING THE CONSENT TO ENTER AND
WAIVER OF TRESPASS AGREEMENT FOR THE
LISBON AVENUE LIFT STATION**

WHEREAS, the City Engineer has completed the design for the Lake Elmo Avenue Infrastructure Improvements, I-94 to 30th Street, and the project has been advertised to receive contractor bids.

WHEREAS, the Improvements include the construction of a Sanitary Lift Station that will provide future municipal sewer service to the Village with the Lift Station to be located at 3080 Lisbon Avenue North, just north of 30th Street and east of Reid Park.

WHEREAS, the placement of the Lift Station at this site requires the acquisition of a temporary and permanent utility easement from the Elmo View Townhome Association to accommodate the construction and ongoing maintenance of the connecting forcemain, gravity sewer and watermain utility pipelines.

WHEREAS, the City offered Elmo View Townhome Association compensation in the amount of \$15,000 for the temporary and permanent easements necessary to construct the project, with the fair market value of \$15,000 based upon the appraisal completed by McKinzie Metro Appraisal dated November 2010.

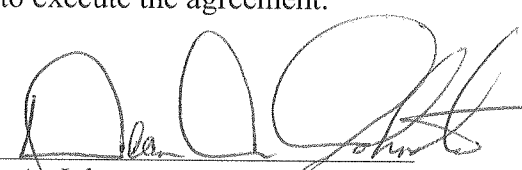
WHEREAS, Elmo View Townhome Association has requested that the provision of an easement be postponed until after the project is constructed, and has agreed to provide the City with a Consent to Enter and Waiver of Trespass Agreement to allow the project to be constructed across the Elmo View Townhome Association property.

WHEREAS, the City Attorney has prepared a Consent to Enter and Waiver of Trespass Agreement for the City Council's review and consideration.

NOW, THEREFORE, BE IT RESOLVED,

1. Said Consent to Enter and Waiver of Trespass Agreement is hereby approved.
2. The Mayor and City Clerk are hereby authorized to execute the agreement.

Date: April 5, 2011 CITY OF LAKE ELMO

By: 
Dean A. Johnston
Mayor

CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on 5th day of April 2011, as shown by the minutes of said meeting in my possession.



Sharon Lumby
City Clerk

(Seal)