

**CITY OF SAINT ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 22-049

**A RESOLUTION APPROVING STORMWATER FACILITIES MAINTENANCE
AGREEMENT AND RESTRICTIVE COVENANT BETWEEN LOWRY RETAIL
LLC, AND THE CITY OF ST. ANTHONY VILLAGE**

- WHEREAS**, Lowry Retail is the owner of fee simple title in certain real property commonly described as 2654 Kenzie Terrace in the City of St. Anthony, Hennepin County, Minnesota (the "**Property**") and legally described in Exhibit A, attached hereto and incorporated herein by this reference; and
- WHEREAS**, in connection with the Owner's proposed development of the Property, the City has required, and the Owner has agreed, to construct an underground stormwater collection and treatment facility on the Property (the "**Stormwater Management Facility**"); and
- WHEREAS**, such Stormwater Management Facility is described in the Stormwater Management Plan dated March 18, 2022 and detailed in the Construction Documents dated March 18, 2022 prepared by Westwood Professional Services for the Property, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference ("**Stormwater Management Plan**"); and
- WHEREAS**, as a condition of project approval, the parties have entered into this Maintenance Agreement and Restrictive Covenant, in order to ensure that the Stormwater Management Facility will be constructed and maintained in accordance with the approved plans;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Saint Anthony Village hereby approves the Stormwater Facilities Maintenance Agreement and Restrictive Covenant.

Adopted this 24th day of May, 2022.

Randy Stille, Mayor

ATTEST: _____
City Clerk

Reviewed for administration:

Charlie Yunker, City Manager