

## ADMINISTRATIVE REPORT

**DATE:** 02/10/2022  
**TOPIC:** 6.8 -MOU for construction easement with the City of Woodbury  
**PRESENTER:** Dan Hines, Asst. Director-Facilities  
**REFERENCE TO POLICY/STATUTE:** 701 School District Budget

### A. PURPOSE OF REPORT

- a. During the summer of 2022 the City of Woodbury is constructing a new roundabout at the intersection of Lake Road and Pioneer Drive, directly adjacent to Lake Middle School.
- b. During this construction the city will require access for staging, utilities, and construction activities on the northern and western perimeters of ISD 833's property.
- c. The City of Woodbury requests a MOU for a temporary easement to ISD 833's property to conduct construction and excavation activities.
- d. There are no anticipated impacts to student occupied areas.

### B. RECOMMENDATION

- a. Administration recommends approval of the MOU between ISD 833 and the City of Woodbury.



**RIGHT OF ENTRY  
AND  
WAIVER OF TRESPASS**

Ind. School Dist. #833, being respectively the record owner(s) of that certain real estate located in Washington County, Minnesota and described in the attached EXHIBIT A (the "Property"), hereby consent(s) to allowing the CITY OF WOODBURY, a Minnesota municipal corporation, and its duly authorized agents to enter upon said Property for the purpose of removals, excavation, grading, curb placement, paving, storm sewer installation, bituminous trail paving, placement of topsoil, and restoration.

It is specifically understood and agreed that the above-named record owner(s) have/has not received consideration for the above-described right to enter and do(es) not waive the right to receive full and adequate consideration for the granting of the necessary permanent and/or temporary easements required for this improvement. The purpose of the Agreement is to allow construction at the earliest possible time, and the above-named record owners(s) specifically reserve(s) the right to make all claims necessary for damages which may be incurred as a result of the construction; and it may be necessary that the determination of such damages would be made by means of the necessary eminent domain proceedings. The above-named record owner(s) expressly waive(s) any claims of trespass which he/she/they/it may otherwise have over and across the property above-described by the City of Woodbury.

IN WITNESS WHEREOF, the undersigned has/have caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF WOODBURY

IND. SCHOOL DIST. #833

By: \_\_\_\_\_  
Anne Burt, Its: Mayor

By: \_\_\_\_\_  
\_\_\_\_\_, Its:

By: \_\_\_\_\_  
Clint Gridley, Its: Administrator

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public, within and for said County and State, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of Ind. School Dist. #833 on its behalf.

\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public, within and for said County and State, personally appeared Anne Burt and Clint Gridley, the Mayor and Administrator, respectively, of City of Woodbury, a Minnesota municipal corporation, on its behalf.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT DRAFTED BY:

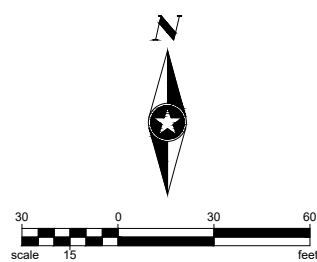
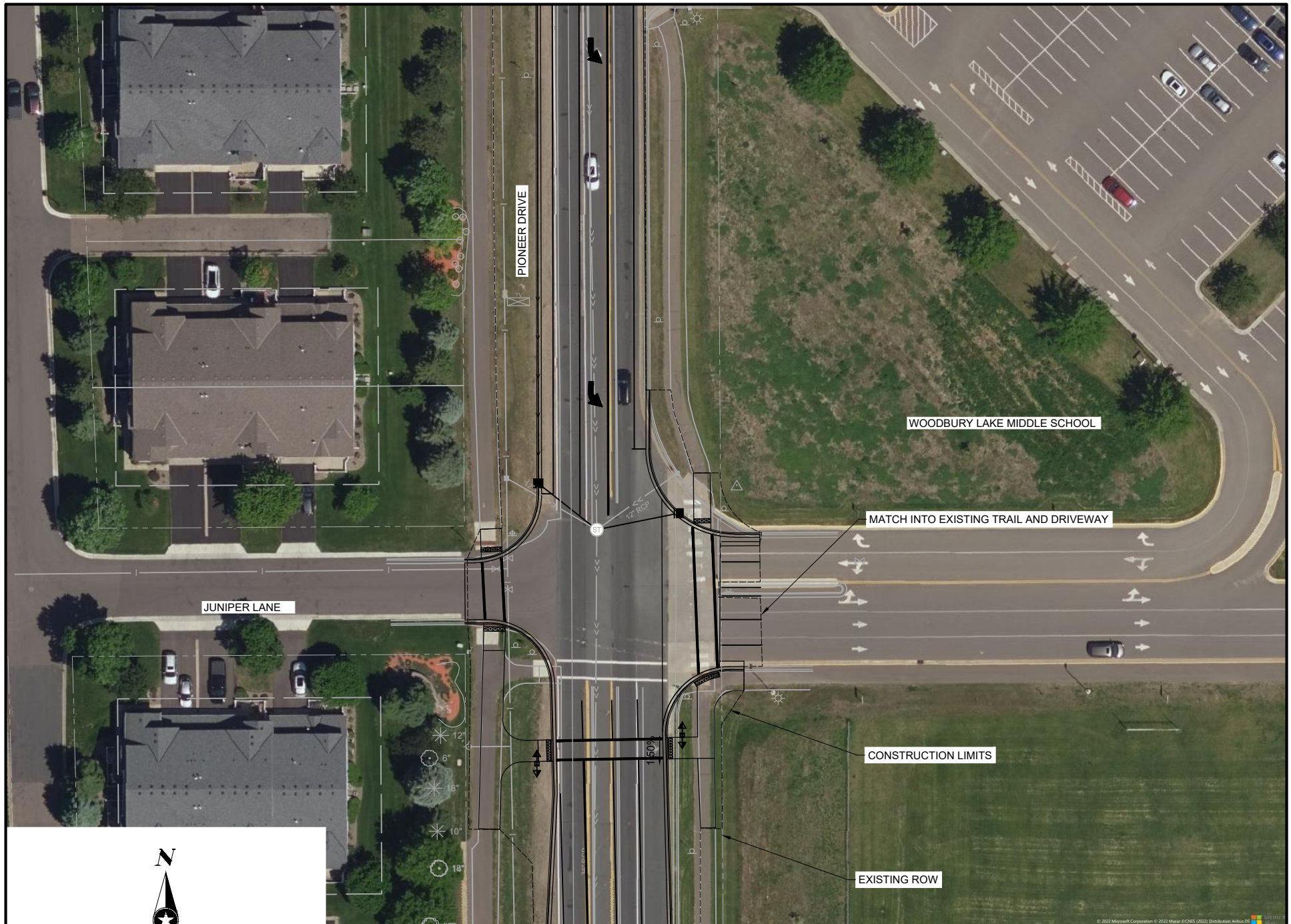
Kennedy & Graven

470 U.S. Bank Plaza

Minneapolis, MN 55402

(612) 337-9300

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	<b>FILE NO.</b> 158152	<b>RIGHT OF ENTRY</b> <b>LAKE ROAD AND PIONEER DRIVE IMPROVEMENTS</b> <b>WOODBURY LAKE MIDDLE SCHOOL</b>	<b>EXHIBIT</b> <b>NO. 3</b>
	<b>DATE:</b> 2/2/2022		

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