

Councilmember introduced the following resolution and moved for its adoption:

**RESOLUTION #20-218**

**RESOLUTION APPROVING SETTLEMENT AGREEMENT WITH 21<sup>ST</sup> CENTURY BANK RELATED TO BROOKFIELD WATERMAIN AND SANITARY SEWER COST CONTRIBUTION/REIMBURSEMENT AGREEMENT**

**WHEREAS**, in 2006, the City entered into a reimbursement agreement with Oakwood Land Development for the extension of trunk water and trunk sewer lines to the Brookfield subdivision and other development areas that were above and beyond the obligations of Oakwood Land Development and benefitting other developable parcels; and

**WHEREAS**, the City, at that time, was concerned about the financial risk to the City of this \$6M extension in the event development slowed and forecasted trunk fee collections slowed in response; and

**WHEREAS**, in 2009, 21<sup>st</sup> Century Bank commenced foreclosure proceedings on Oakwood Land Development and assumed the rights under the reimbursement agreement; and

**WHEREAS**, also in 2009, the City agreed to an amended and restated reimbursement agreement that extended the agreement sunset date from 2021 to 2026; and

**WHEREAS**, 21<sup>st</sup> Century Bank desires to settle the agreement early in consideration for \$70,000, which is less than the likely reimbursement amount throughout the life of the remaining agreement.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

- 1) The City Council agrees to a settlement of \$70,000 to terminate the Amended and Restated Watermain and Sanitary Sewer Cost Contribution/Reimbursement Agreement with 21<sup>st</sup> Century Bank.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 22<sup>nd</sup> day of September 2020.

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Mayor

**ATTEST:**

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City Clerk