



**City Council
Resolution No. 2024-01**

**A RESOLUTION APPROVING AND ACCEPTING CERTAIN PUBLIC SITE IMPROVEMENTS
FOR THE AAVA VETTA DEVELOPMENT**

WHEREAS, The City of Long Lake (“City”), entered a contract for Site Improvements (“Development Agreement”), with JMH Symes Street LLC (“Developer”) for a private development known as Aava Vetta (“Property”) in the City of Long Lake, Minnesota; and

WHEREAS, the Developer asserts that it has completed on and adjacent to the Property the grading, underground utilities, stormwater facilities and roadway improvements (“Improvements”) in conformance with the final plans approved by the City and requests that the public improvements be accepted by the City of Long Lake; and

WHEREAS, the Developer has further requested that the Letter of Credit posted by Developer to secure Developer’s performance of project obligations as well as any unused and unneeded escrow funds posted by Developer be released; and

WHEREAS, the City Engineer has inspected the Improvements and examined their compliance with the final plans and City standards, determined the same to have been installed in compliance with the final plans and City standards, determined that the Letter of Credit and any unused and unneeded escrow funds are no longer necessary to secure Developer’s performance, and recommends that the City formally accept the Improvements, subject to certain conditions, and release Developer’s Letter of Credit and any unused and unneeded escrow funds which are not required to secure Developer’s compliance with the terms of the Development Agreement; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Long Lake hereby approves of and accepts the Improvements, subject to the following:

1. The responsibility of ongoing maintenance of the Developer Improvements that were not identified to benefit the public shall be assigned to the property owner or the Homeowner’s Association as assigned within the covenants.
2. The City shall not be responsible for any ongoing maintenance of any private Developer Improvements, including stormwater improvements, that are not expressly dedicated to the public through the Final Plat or other executed agreements or easements.
3. The Developer shall provide a two-year maintenance bond, in a form acceptable to the City and in compliance with the Development Agreement, to cover the installed Improvements.
4. The Developer shall pay all fees and delinquent escrow balances and the balance of any remaining escrow shall be returned to Developer.
5. Upon payment of all fees and escrow balances as well as the posting of a compliant maintenance bond, the City shall release Developer’s Letter of Credit.

6. The Developer shall remain in compliance with all terms of the Development Agreement.

Adopted by the City Council of the City of Long Lake this 2nd day of January, 2024.

BY:

Charlie Miner, Mayor

ATTEST:

Jeanette Moeller, City Clerk