

**STATE OF MINNESOTA  
CENTRAL LAKES REGION SANITARY DISTRICT, DOUGLAS COUNTY**

---

The Matter of the Dissolution of the  
Central Lakes Region Sanitary District

**Resolution D-2009-10, to Release  
and Terminate Easements**

---

Director Cleary moved adoption of the following resolution:

**Whereas**, the Central Lakes Region Sanitary District (CLRSD) holds permanent and temporary easements, both recorded and unrecorded, for the construction of a sanitary sewer system;

**Whereas**, CLRSD adopted its Resolution of Intent to Dissolve at its regular meeting on March 5, 2009; and

**Whereas**, the CLRSD adopted its Resolution D-2009-05, Directing Coordination and Disposition of Easements on April 2, 2009; and

**Whereas**, the attorney complied with Resolution D-2009-5 by sending correspondence to the Douglas County Board of Commissioners; the Boards of Supervisors of Carlos, Miltona, Leaf Valley, Moe and LaGrand Townships; the City Councils of the Cities of Miltona and Carlos; and the Board of the Alexandria Lakes Area Sanitary District soliciting interest in the easements, describing the public investment in the acquisition of the easements, and requesting a response by April 30, 2009; and

**Whereas**, by April 30, 2009, only Moe, Leaf Valley and Miltona Townships have expressed an interest in succeeding the CLRSD in the easements, and

**Whereas**, by resolution 2009-08 the CLRSD Board directed its attorney to:

1. Continue to work with Moe, Leaf Valley and Miltona Townships to resolve any issues regarding succession of interest in the easements within Moe, Leaf Valley and Miltona Townships.
2. As to the remaining easement interests, and if Moe, Leaf Valley or Miltona Townships decide not to become a successor in interest, prepare for execution and filing instruments to vacate all easements not otherwise transferred.
3. Coordinate all procedures required by law to facilitate the transfer or vacation of easements; and

Whereas, on May 12, 2009 the attorney corresponded with Moe, Leaf Valley and Miltona Townships setting forth the requirements for transfer; and

**Whereas**, as of June 4, 2009, the CLRSD only received requests from the Leaf Valley and Moe Townships Boards for the assignment of CLRSD's interests in the easements to the Townships; and

**Whereas**, CLRSD Board has determined that there no other feasible successors in interest for CLRSD's remaining easements; and

**Whereas**, CLRSD Board has determined that it is necessary, and is in the best interest of the CLRSD and its residents, to release and terminate the CLRSD's remaining easements;

**Whereas**, the Notice of the Resolution of Intent to Dissolve has been perfected.

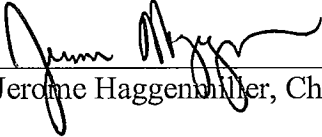
**Therefore, it is resolved:**

1. The Board of Directors of the CLRSD shall vacate, release, and terminate any and all of CLRSD's rights in recorded easements for property legally described in **Exhibit A**.
2. The Board of Directors of the CLRSD shall vacate, release, and terminate any and all of CLRSD's rights in signed, but unrecorded, easements for property legally described in **Exhibit B**.
3. The Board Chairman and Secretary are directed to execute and record this Resolution with the Douglas County Recorder.
4. The release and termination of the easements shall be effective immediately.

The motion was seconded by Director Vollmers. After discussion and upon a vote, the Resolution was adopted by the following vote:

	Yes	No	Abstain	Absent
Mike Cleary	<u>  X  </u>	_____	_____	_____
Jerome Haggemiller	<u>  X  </u>	_____	_____	_____
Ted Steidl	<u>  X  </u>	_____	_____	_____
Bruce Strandskov	_____	_____	_____	<u>  X  </u>
Gary Thoennes	<u>  X  </u>	_____	_____	_____
Dale Vollmers	<u>  X  </u>	_____	_____	_____

The above resolution was adopted at the Regular Meeting of the CLRSD on June 4, 2009, at the Leaf Valley Town Hall.

  
\_\_\_\_\_  
Jerome Haggendiller, Chairman

Attest:

  
\_\_\_\_\_  
Mike Cleary, Board Secretary

**THIS INSTRUMENT DRAFTED BY:**

RINKE-NOONAN

1015 West St. Germain Street

P.O. Box 1497

St. Cloud, MN 56302

(320) 251-6700