

**RESOLUTION NO. 23-063  
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS**

**APPROVING AGREEMENT FOR ASSIGNMENT OF PURCHASE AGREEMENT  
WITH TDI HOLDINGS, LLC FOR  
SPRING ROAD CONSERVATION PROJECT**

Manager Pedersen offered the following resolution and moved its adoption, seconded by Manager Crafton:

**WHEREAS** the Riley Purgatory Bluff Creek Watershed District's (District) 2018 10-Year Watershed Management Plan (Plan) recognizes that unanticipated opportunities may emerge during the life of this Plan; and that while the District cannot predict the future, the District has established a process to allow the District and its partners to take full advantage of these circumstances through the implementation of "Opportunity Projects"; (Plan, Section 9.13, p. 9-49);

**WHEREAS** the District has undertaken months of deliberation to consider an unanticipated opportunity to acquire three contiguous parcels on Spring Road in Eden Prairie for conservation purposes; the District's acquisition of the Spring Road properties will complete a contiguous corridor following Riley Creek from Lake Riley to the Minnesota River; the District has identified a series of location, topography, ecological and other benefits for the watershed through conservation of this site; the District engineer scored the proposed acquisition using the prioritization scoring method presented in the Plan, and in comparison to proposed development of the site, the conservation acquisition renders a prioritization score of 35-39 points; accordingly it is appropriate under Section 9.13 of the Plan to proceed with a plan amendment for the project;

**WHEREAS** the Board of Managers has determined that the proposed acquisition aligns with important District goals, and that the proposed assignment agreement with TDI Holdings, LLC provides for the District to acquire the subject property following a feasibility period, during which time the Board of Managers will consider comments on a proposed plan amendment and on whether to order the project;

**WHEREAS** the Board of Managers has carefully considered the terms of the proposed assignment agreement with advice of real estate counsel and its land conservation consultant;

**NOW THEREFORE BE IT RESOLVED** that the Board of Managers hereby approves the proposed Agreement for Assignment of Purchase Agreement with TDI Holdings, LLC for the Spring Road properties, and further authorizes the President to execute the agreement with non-substantive changes on advice of legal counsel.

The question was on the adoption of the resolution and there were 4 yeas and 1 nay as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>CRAFTON</b>	<b>X</b>			
<b>DUEVEL</b>	<b>X</b>			
<b>KOCH</b>		<b>X</b>		
<b>PEDERSEN</b>	<b>X</b>			
<b>ZIEGLER</b>	<b>X</b>			

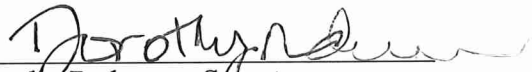
Upon vote, the president declared the resolution adopted.

Dated: October 4, 2023.

\* \* \* \* \*

I, Dorothy Pedersen, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 10<sup>th</sup> day of October, 2023.

  
Dorothy Pedersen, Secretary

