

**PETITION FOR INCLUSION IN ASSESSMENT DISTRICT
& WAIVER OF OBJECTION**

The undersigned, Invest Bloomington I, LLC, (the "Developer") hereby represent to and Petition the Mayor and Council of the City of Bloomington as follows:

1. That they are the developer of property located in the City of Bloomington, County of Hennepin, State of Minnesota, more particularly described as follows (the "Property"):

Lot 1 Block 1 NORMAN POINTE BUSINESS CENTER 3RD ADDITION

2. On October 5, 2015, the Developer received City Council approval for a Revised Preliminary Development Plan and Final Development Plan for an apartment complex and associated parking at 5650 American Boulevard West.
3. On April 26, 2010, the Bloomington City Council adopted a resolution ordering the construction of City Project 2010-501 to construct a sanitary sewer reliever pipe in the Normandale Lake District and to assess the benefiting properties.
4. In 2011, the City of Bloomington's contractor installed a sanitary sewer reliever in Normandale Lake Boulevard to provide sanitary sewer capacity to properties in the Normandale Lake District that were redeveloping at a higher intensity than was previously planned.
5. On October 3, 2011, the Bloomington City Council adopted a resolution approving Assessment Roll 2011-6, which included properties that had already developed, and delaying the assessment of the undeveloped properties until the properties requested a building permit.
6. Prior to the October 5, 2015 approval, the property was approved for a 330,000 square foot office building and associated parking structure, which was accommodated by the existing sanitary sewer and did not need reliever sewer pipe for capacity.
7. Had the reliever pipe not been constructed, the Developer would not have received this most recent approval that changed their use from office to multi-family residential, due to unavailable sewer capacity.
8. The Developer requests that all of said property, above described, be included in an assessment district; that Petitioners being fully apprised of their rights hereby waive notice of hearing of the assessment proceedings, other formalities as may be required by law, specifically, Minnesota Statutes Chapter 429, and other procedures adopted by the City Council of the City of Bloomington. Petitioners, likewise, waive all objections to such assessment proceedings and to the assessment.
9. Developer agrees to an assessment of a portion of project costs in the amount of \$50,111.81 and to remove a Norman Pointe monument sign that is located on the Property that obstructs sight lines at the intersection as part of constructing the approved multi-family residential project.
10. The obligations of this petition shall be run with the land and become the responsibility of the owners' successors and assigns.

11. Developer understands that the assessment will be spread over a period of twenty years with 5% interest, and further, understand that upon execution and acceptance of this Petition, the City will include the property in an assessment district with the assessment to be levied in 2015 on the property described above, with the first payment to be made in 2016, unless paid in portion or in full before November 27, 2015.

Dated this 16TH day of OCTOBER, 2015.

By 
Its General Counsel

State of Minnesota)
)SS
County of Hennepin)

Subscribed and sworn to before me this 16TH day of OCTOBER, 2015.


Notary Public

