

**BALDWIN TOWNSHIP
SHERBURNE COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 22-09

**RESOLUTION REQUIRING ADDITIONAL BOND TO BE POSTED BY MIDCO
TO SECURE RESTORATION OF RIGHT OF WAYS**

WHEREAS, Baldwin Township ordinance No. 100 regulates the use of Baldwin Township's rights of way by utility companies seeking to install utilities in the right of way; and

WHEREAS, Midco has recently installed utilities in the Township's rights of way and currently has posted with the Township a bond in the amount of \$5,000 related to the most recent work Midco has performed in the Township's rights of way; and

WHEREAS, Midco proposes to install additional utilities in a majority of the Township's roads in the near future;

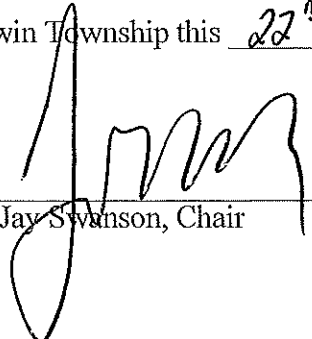
WHEREAS, the Township has determined that Midco's \$5,000 bond is inadequate to cover the restoration work that would accompany Midco's proposed additional utility installation in the Township's rights of way; and

WHEREAS, Section 2.05.D of Baldwin Township Ordinance No. 100 allows the Township to require a larger construction performance bond when the applicant requests and excavation permit to install additional facilities and the Town deems the existing construction performance bond inadequate;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Baldwin Township, that:

1. Midco shall be required to post a performance bond of \$50,000.00 to cover the cost of restoration of its existing work in the Township's right of way as well as the additional proposed work shown on the attached map illustrating the location of the proposed work.
2. Midco shall be required to pay a permit application fee equal to all costs incurred by the Township in managing the installation of Midco's proposed utilities shown on the attached Exhibit A as required by Section 2.07.1 of Baldwin Township Ordinance No. 100. Said fee may be paid in monthly installments equal to the amounts paid monthly by the Township as a result of managing Midco's utility installation.
3. Midco shall be required to follow all requirements as set forth by the Township's engineer in regard to the Township's rights of way.

Approved by the Town Board of Baldwin Township this 27th day of February, 2022.



Jay Swanson, Chair

ATTEST:



Cathy Stevens, Town Clerk