

**St. Louis County and City of Duluth
Phase 1 Roadway Exchange Agreement**

**ROADWAY EXCHANGE AGREEMENT
BETWEEN
COUNTY OF ST. LOUIS
AND
CITY OF DULUTH**

THIS AGREEMENT, hereinafter referred to as the “Agreement,” is made and entered into between the **COUNTY OF ST. LOUIS**, a body politic and corporate existing under the laws of the State of Minnesota, hereinafter referred to as “St. Louis County”, and the **CITY OF DULUTH**, a body politic and corporate existing under the laws of the State of Minnesota, hereinafter referred to as “Duluth”.

WITNESSETH:

WHEREAS, St. Louis County and Duluth have cooperatively determined that it is in their mutual interest to complete an exchange of certain roadways; and

WHEREAS, Minnesota Statutes §163.11, subdivision 9, provides the County Board may transfer jurisdiction of County highways upon agreement of the parties; and,

WHEREAS, St. Louis County and Duluth have agreed to transfer jurisdiction and ownership of certain roadways as set forth herein.

THEREFORE, for good and valuable consideration, the parties hereby agree to the following:

DESCRIPTION OF ROADWAYS TO BE EXCHANGED

1. St. Louis County will transfer jurisdiction and ownership of the roadways in Table 1 to Duluth.

Table 1. Transfer of Roadways from St. Louis County to Duluth

Street Name	Begin Description	End Description	Length* (Miles)
East 4 th St	6 th Ave East	Wallace Ave	1.88
Wallace Ave	East 4 th St	East Arrowhead Rd	0.66
East Arrowhead Rd	Woodland Ave	Wallace Ave	0.03
East Superior St	60 th Ave East	61 st Ave East	0.15
57 th Ave West	Cody St	Highland St	0.47
Highland St	59 th Ave West	57 th Ave West	0.13
Total Length			3.32

*For state aid routes, mileage is based on the State Aid NEEDS lengths.

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2. Duluth will transfer jurisdiction and ownership of the roadways in Table 2 to St. Louis County.

Table 2. Transfer of Roadways from Duluth to St. Louis County

Street Name	Begin Description	End Description	Length* (Miles)
Airport Rd	Haines Rd	Rice Lake Rd	1.04
West Arrowhead Rd	Arlington Ave	Rice Lake Rd	0.25
40 th Ave West	Grand Ave	Oneota St	0.33
Woodland Ave	East Calvary Rd	Martin Rd	1.13
McDonnell Rd	MNTH 61	CR 283 (McDonnell Rd)	0.56
Total Length			3.31

*For state aid routes, mileage is based on the State Aid NEEDS lengths.

ROADWAY DESIGNATION

3. For the roadways in Table 3, St. Louis County will revoke the County State Aid Highway designation and Duluth will designate as Municipal State Aid Streets.

Table 3. Roadways to be Designated as Municipal State Aid Streets

Street Name	Begin Description	End Description	New Designation
East 4 th St	6 th Ave East	Wallace Ave	MSAS 132
Wallace Ave	East 4 th St	East Arrowhead Rd	MSAS 132
East Arrowhead Rd	Woodland Ave	Wallace Ave	MSAS 160
East Superior St	60 th Ave East	61 st Ave East	MSAS 147
57 th Ave West	Cody St	Highland St	MSAS 215
Highland St	59 th Ave West	57 th Ave West	MSAS 106
Total Length*			3.32 miles

*Mileage is based on the State Aid NEEDS lengths.

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4. For the roadways in Table 4, Duluth will revoke the Municipal State Aid Streets designation and St. Louis County will designate as County State Aid Highways.

Table 4. Roadways to be Designated as County State Aid Highways

Street Name	Begin Description	End Description	New Designation
Airport Rd	Haines Rd	Rice Lake Rd	CSAH 91
West Arrowhead Rd	Arlington Ave	Rice Lake Rd	CSAH 32
40 th Ave West	Grand Ave	Oneota St	CSAH 91
Woodland Ave	East Calvary Rd	Martin Rd	CSAH 9
Total Length*			2.75 miles

*Mileage is based on the State Aid NEEDS lengths.

5. For the roadway in Table 5, Duluth will revoke the Municipal Street designation and St. Louis County will designate as a County Road.

Table 5. Roadway to be Designated as a County Road

Street Name	Begin Description	End Description	New Designation
McDonnell Rd	MNTH 61	CR 283 (McDonnell Rd)	CR 283
Total Length			0.56 mile

6. The net change in County State Aid Highway mileage within the corporate limits of Duluth after this roadway exchange will be -0.57 mile.
7. The net change in Municipal State Aid Street mileage within the corporate limits of Duluth after this roadway exchange will be +0.57 mile.
8. The net change in County Road mileage within the corporate limits of Duluth after this roadway exchange will be +0.56 mile.
9. The net change in Municipal Street mileage within the corporate limits of Duluth after this roadway exchange will be -0.56 miles.

TRANSFER OF RIGHT-OF-WAY

10. St. Louis County and Duluth will cooperatively work to transfer the respective right-of-way associated with the roadways identified in Tables 1 and 2 at no cost to either party.

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TIMELINE

11. The transfer of jurisdiction and ownership of the roadways in Tables 1 and 2 will take effect on October 1, 2025.

MAINTENANCE; LIABILITY AND REPAIRS

12. St. Louis County will not be obligated to perform any maintenance or repairs for the roadways in Table 1 after October 1, 2025. Duluth will accept these roadways in their present condition and hereby releases St. Louis County from any future liability for maintenance and repairs under Minnesota Statutes §163.11 or otherwise.
13. Duluth will not be obligated to perform any maintenance or repairs for the roadways in Table 2 after October 1, 2025. St. Louis County will accept these roadways in their present condition and hereby releases Duluth from any future liability for maintenance and repairs.
14. St. Louis County and Duluth will update their cooperative roadway maintenance agreement in a separate agreement.

COUNTY STATE AID HIGHWAY PAYBACK

15. If required by the Minnesota Department of Transportation State Aid Division, St. Louis County will make a prorated payback for state aid funds that were expended on the roadways in Table 1 and have not yet reached their expected service life.
16. If required by the Minnesota Department of Transportation State Aid Division, Duluth will make a prorated payback for state aid funds that were expended on the roadways in Table 2 and have not yet reached their expected service life.

AUTHORIZED REPRESENTATIVES

17. Each party designates an authorized representative for the purpose of administering this Agreement. A party's authorized representative has the authority to give and receive notices, and to make any other decision required or permitted by this Agreement.

St. Louis County:

Name: James T. Foldesi, PE (or successor)
Title: Public Works Director/Highway Engineer
Address: 4787 Midway Road, Duluth, MN 55811
Telephone: 218-625-3830
Email: foldesij@stlouiscountymn.gov

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Duluth:

Name, Title: Cindy Voigt, PE (or successor)
Title: City Engineer
Address: City Hall, Room 240, 411 West 1st Street, Duluth, MN 55802
Telephone: 218-730-5200
Email: cvoigt@duluthmn.gov

AMENDMENTS; WAIVER; CONTRACT COMPLETE

18. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
19. If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.
20. This Agreement contains all prior negotiations and agreements between St. Louis County and Duluth. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

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**St. Louis County and City of Duluth
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CITY OF DULUTH

Mayor

ATTEST

City Clerk

Date: _____

COUNTERSIGNED

City Auditor

APPROVED AS TO FORM

City Attorney

COUNTY OF ST. LOUIS

County Board Chair

Date: _____

County Auditor

Date: _____

Public Works Director/Highway Engineer

Date: _____

APPROVED AS TO FORM

Assistant County Attorney

Date: _____

St. Louis County Contract No.