



Legislation Details (With Text)

**File #:** 19-0301R      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 5/2/2019      **In control:** Recreation, Libraries and Authorities

**On agenda:** 5/13/2019      **Final action:** 5/13/2019

**Enactment date:**      **Enactment #:**

**Title:** RESOLUTION AUTHORIZING A TEN-YEAR LIMITED USE PERMIT AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION, FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF PHASE II OF THE CROSS CITY TRAIL WITHIN AN AREA OF THE RIGHT OF WAY OF TRUNK HIGHWAY 35, AT NO COST TO THE CITY.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A\_all pages.pdf

Date	Ver.	Action By	Action	Result
5/13/2019	1	City Council	adopted	

RESOLUTION AUTHORIZING A TEN-YEAR LIMITED USE PERMIT AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION, FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF PHASE II OF THE CROSS CITY TRAIL WITHIN AN AREA OF THE RIGHT OF WAY OF TRUNK HIGHWAY 35, AT NO COST TO THE CITY.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to execute a ten-year limited use permit, substantially the same as the agreement attached as Exhibit 1, with the state of Minnesota, department of transportation (MnDOT), for the construction, maintenance, and operation of Phase II of the Cross City Trail as it crosses through MnDOT’s right of way for Trunk Highway 35, at no cost to the city.

STATEMENT OF PURPOSE: This resolution authorizes a ten-year limited use permit, substantially the same as the agreement attached as Exhibit 1, with the state of Minnesota, department of transportation (MnDOT), for the construction, maintenance, and operation of Phase II of the Cross City Trail as it crosses through MnDOT’s right of way for Trunk Highway 35, at no cost to the city.

Under the terms of the agreement, MnDOT will not charge the City a fee related to the use of property within MnDOT’s right-of-way, but the City will be responsible for the costs associated with the construction, maintenance, and operation of the Cross City Trail. Once executed, the limited use permit runs through May 04, 2028 and may be renewed under certain conditions for a period up to ten years.

Phase II of the Cross City Trail starts at the intersection of Carlton Street and Superior Street (Lincoln

Park neighborhood) and runs west to Central Avenue (Spirit Valley/Irving neighborhoods). The portions of Phase II of the Cross City Trail crossing through MnDOT's right-of-way are shown on the attached Exhibit A.