



Legislation Text

File #: 18-0168R, **Version:** 1

RESOLUTION AUTHORIZING AN APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A PERMANENT HIGHWAY/ROAD EASEMENT ACROSS STATE LAND IN THE RIVERSIDE NEIGHBORHOOD FOR \$2,000 AND ADDITIONAL FEES, IF REQUIRED.

CITY PROPOSAL:

WHEREAS, the City is working with multiple partners on the creation of a new road from Grand Avenue to Tallus Island in the Riverside neighborhood;

WHEREAS, a portion of the new road will cross the Munger Trail, a State of Minnesota owned multi-use trail under the jurisdiction of the Department of Natural Resources ("DNR");

WHEREAS, to be able to cross state-owned land under the jurisdiction of the DNR, an application for an easement must be submitted, together with applicable documents providing detailed specifications; and

WHEREAS, if the application is submitted by a government entity, then the proper documentation, such as a resolution by a governing board, must be included with the application to show authority for the government entity's application and easement.

NOW, THEREFORE, BE IT RESOLVED, that the proper city officials are hereby authorized to apply for a permanent easement from the DNR, which easement, if granted, would provide for the construction and maintenance of a new highway/road across the Munger Trail as generally depicted on the attached Exhibit 1. FURTHER RESOLVED, that the proper city officials are hereby authorized to disburse two thousand dollars (\$2,000) for the easement application fee, together with additional fees, if applicable, including a monitoring fee during the construction of the road and an easement fee to pay for the market value of the easement, once such market value is determined by an appraisal. Fees to be disbursed from Fund 452-030-5530-HANDHTAX -1507 (Tourism and Recreational Project, Finance, Improvements Other Than Buildings, Half and Half Tax Projects - Water Access).

FURTHER RESOLVED, that if a permanent highway/road easement is granted by the DNR, then the proper city officials will accept the easement through a separate resolution that includes the: (a) terms of the easement agreement and (b) legal description and survey of the easement area.

STATEMENT OF PURPOSE: This resolution authorizes an application to the State of Minnesota, Department of Natural Resources, for a permanent highway/road easement in connection with the creation of a new road from Grand Avenue to Tallus Island.