
From: Hiller, Joe H (DNR)
Sent: Friday, July 20, 2018 1:05 PM
To: Alison Harwood
Subject: RE: SP 2780-97 - I-94 UBOL Rogers to Maple Grove - Three Rivers Park District Trail

Alison,

That's correct. This temporary use allowance also assumes the impact on recreation will be temporary and minimal. MnDOT should take measures to minimize the impact on the trail – perhaps they have. The DNR would rely on the District to best represent the interests of their constituents.

Joe

From: Alison Harwood
Sent: Friday, July 20, 2018 12:51 PM
To: Hiller, Joe H (DNR)
Subject: RE: SP 2780-97 - I-94 UBOL Rogers to Maple Grove - Three Rivers Park District Trail

Hi Joe,

Thanks again for this information. We also received a Limited Use Permit from MnDOT for this section (see attached). This LUP excludes Section 4f from applying within the ROW (Special Provision 13), but doesn't mention 6f.

The work proposed in this section (an unbonded overlay) will not physically impact the trail section or result in the acquisition of any land owned by Three Rivers Park District for the trail. For safety, there may be some limited trail closures as they are working on the roadway directly above the trail, but it will not be for longer than 6 months. Given your email below, it's my understanding that coordination with NPS will not be required. Is that correct?

Thanks,

Alison Harwood
Environmental Planning & Natural Resources Scientist
P (763) 231-4847 | M (612) 360-1320
WSB & Associates, Inc. | 540 Gateway Blvd. | Burnsville, MN 55337



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From: Hiller, Joe H (DNR)
Sent: Thursday, July 12, 2018 12:12 PM
To: Alison Harwood
Subject: RE: SP 2780-97 - I-94 UBOL Rogers to Maple Grove - Three Rivers Park District Trail

Alison,

Here's the project description from our file:

Hennepin County Park Reserve District will acquire approximately 220 195.7 acres (9 miles) as corridor trails to be used for outdoor recreation purposes. Original Name: North Hennepin Trail Corridor, changed to be Medicine Lake Regional Trail. [Boundary appears to be land owned by the District as of the 11-Feb-83 closing date and designated as part of the trail corridor between Medicine Lake, Eagle Lake, Fish Lake, and Elm Creek Regional Parks.]

Any land owned (fee title or permanent easement) by the Three Rivers Park District and used as the Medicine Lake Trail as of 1983 is subject to federal restrictions of the Land & Water Conservation Fund (LAWCON). Any encroachment on the trail corridor lasting at least 6 months would require approval by the National Park Service.

I've attached the file maps submitted by the Hennepin County Park district. They show the individual parcels acquired and the overall trail location. LAWCON covers the whole trail corridor – not just the parcels acquired.

If you have any questions about this or need more information, please let me know.

Joe

From: Alison Harwood
Sent: Wednesday, July 11, 2018 10:58 AM
To: Hiller, Joe H (DNR)
Subject: RE: SP 2780-97 - I-94 UBOL Rogers to Maple Grove - Three Rivers Park District Trail

Hi Joe,

Attached is a map of the area with the trail location called out. We also just received the attached permits from MnDOT that may relate to the trail (I'm still reviewing them).

Thanks,

Alison Harwood
Environmental Planning & Natural Resources Scientist
P (763) 231-4847 | M (612) 360-1320
WSB & Associates, Inc. | 540 Gateway Blvd. | Burnsville, MN 55337



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From: Hiller, Joe H (DNR)
Sent: Tuesday, July 10, 2018 2:08 PM
To: Alison Harwood
Subject: RE: SP 2780-97 - I-94 UBOL Rogers to Maple Grove - Three Rivers Park District Trail

Alison,

Could you send me a larger map or location so I can place this crossing?

Thanks,
Joe

From: Alison Harwood
Sent: Monday, July 09, 2018 4:09 PM
To: Hiller, Joe H (DNR)
Cc: Nic Hentges; Tony Heppelmann
Subject: SP 2780-97 - I-94 UBOL Rogers to Maple Grove - Three Rivers Park District Trail

Hi Joe,

I'm working on investigation of potential Section 4f/6f impacts as a result of the proposed I-94 unbonded overlay (UBOL) project from Rogers to Maple Grove. There is a section of trail that is owned by Three Rivers Park District (Medicine Lake Regional Trail) that enters MnDOT right-of-way and goes under I-94 within the UBOL project, and appears to have been funded with LAWCON funding. I'm wondering if DNR has any records of permits or agreements for the use of the ROW by the trail, or information as to whether the section located within the ROW is subject to Section 6f requirements? Was this portion of the trail within the ROW excluded from Section 6f through the grant funding agreement?

I've attached an exhibit that shows the location of the trail (near Rice Lake).

Any information you can provide is appreciated.

Thank you,

Alison Harwood
Environmental Planning & Natural Resources Scientist
P (763) 231-4847 | M (612) 360-1320
WSB & Associates, Inc. | 540 Gateway Blvd. | Burnsville, MN 55337



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S.P. 2780(94=392)902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

LIMITED USE PERMIT

In accordance with Minnesota Statutes Sec. 161.434, a Limited Use Permit is granted to the City of Maple Grove, hereinafter referred to as the "Applicant", for the purpose of constructing, maintaining, and operating a non-motorized recreational trail within the State of Minnesota Department of Transportation's, hereinafter referred to as the "State" or the "Minnesota Department of Transportation", right of way as shown in red on Exhibit "A" which is attached and incorporated as a part of this permit. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and operation of the trail will be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans and specifications for such construction shall be approved by the Minnesota Department of Transportation, through the Division Engineer of the Metro Division.
3. No advertising devices in any form or size shall be constructed, placed or permitted to be constructed or placed upon the State's right of way.
4. No commercial activities shall be allowed on State's right of way.
5. All maintenance of the trail shall be provided by the Applicant; this includes the installation and removal of regulatory signs.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the State's right of way.
7. The Applicant will preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation.

S.P. 2780(94=392)902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

8. The Applicant shall construct the trail at the location shown on the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation's Division Engineer of the Metro Division that the construction geometrics and procedures are compatible with the safe and efficient operation of the highway facility.
9. The Applicant shall notify Bill Warden, Roadway Regulations Supervisor, at (612) 582-1443, seven (7) days prior to starting of its operations.
10. The Applicant upon completion of the construction shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and esthetics are perpetuated. The Applicant shall sod all slopes steeper than 4:1. The Applicant shall guarantee the growth of all seed or sod on all disturbed areas for a period of one year commencing on the last day of construction.
11. This permit does not release the Applicant from any liability or obligation imposed by Federal Law, Minnesota Statutes, local ordinances, or other agencies relating thereto and any necessary permits relating thereto shall be obtained by the Applicant.
12. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for any other highway or transportation purpose. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968.
13. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation for any other highway or transportation purpose, by giving the Applicant 60 days written notice of such action. Upon cancellation, any relocation of the water holding ponds will be performed by the Applicant at the sole expense of the Applicant.
14. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the Applicant's operations or its successors and assigns from the Applicant's use of the portion of highway right of way over which this permit is granted.

S.P. 2780(94=392)902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

15. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from any and all public use of the trail.
16. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damage due to applicant's construction or maintenance of the trail or due to applicant's use of the portion of the highway right-of-way over which this permit is granted.
17. The Applicant shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Applicant shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Applicant.
18. The Applicant (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmen' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State from all such liens and claims.

S.P. 2780 (94=392) 902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

RECOMMENDED FOR APPROVAL
BY: [Signature]
Metro Division Engineer
Date 1/2/97

APPROVED BY:

COMMISSIONER OF TRANSPORTATION
DEPARTMENT OF TRANSPORTATION BLDG.
ST. PAUL, MINNESOTA 55155

By: [Signature]
Asst. Director, Office of Right of Way
and Surveys
Date 1-7-97

City of Maple Grove
By: [Signature]
Date 12-27-96

By: [Signature]
Date 12-23-96

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

RESOLUTION NO. 96-195

RESOLUTION REGARDING COOPERATION BETWEEN THE CITY OF MAPLE GROVE AND MnDOT FOR THE PURPOSES OF TRAIL CONSTRUCTION ADJACENT TO I-94 BETWEEN WEAVER LAKE ROAD AND COUNTY ROAD 30.

BE IT RESOLVED, by the City Council of the City of Maple Grove, Minnesota, as follows:

WHEREAS, the City of Maple Grove's Comprehensive Park System and Recreation Plan identifies a trail loop around Rice Lake; and

WHEREAS, the City of Maple Grove wants to construct the trail on property presently owned by MnDOT; and

WHEREAS, on October 17, 1994, the City Council allocated funding for the construction of Rice Lake Trails west, which includes the proposed trail loop; and

WHEREAS, Westwood Professional Services has prepared an application for a Limited Use Permit to be submitted to MnDOT outlining the construction methods and the specific design of the project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove, Minnesota as follows:

1. That it is the City of Maple Grove's intention to construct a trail loop around Rice Lake as part of the Rice Lake Trails west project for the City, with some portion of the trail being on property owned by MnDOT.
2. That City staff are hereby directed to work with MnDOT to obtain a Limited Use Permit to allow the City of Maple Grove to utilize MnDOT property for the aforesaid trail purpose.

Motion to approve the foregoing Resolution was made by City Councilmember Ramstad, seconded by City Councilmember Sargent, and upon vote being duly taken thereon, the following voted in favor thereof: Mayor Burlingame, and Councilmembers Burtness, Koski, Ramstad and Sargent.

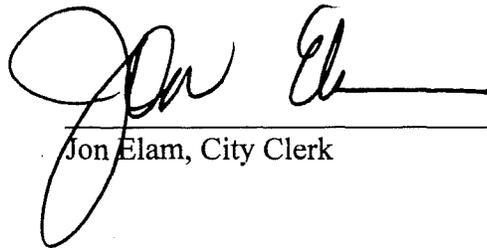
and the following voted against the same: none

and the following were absent: none

whereupon said resolution was declared duly passed and adopted the 16th day of September, 1996.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

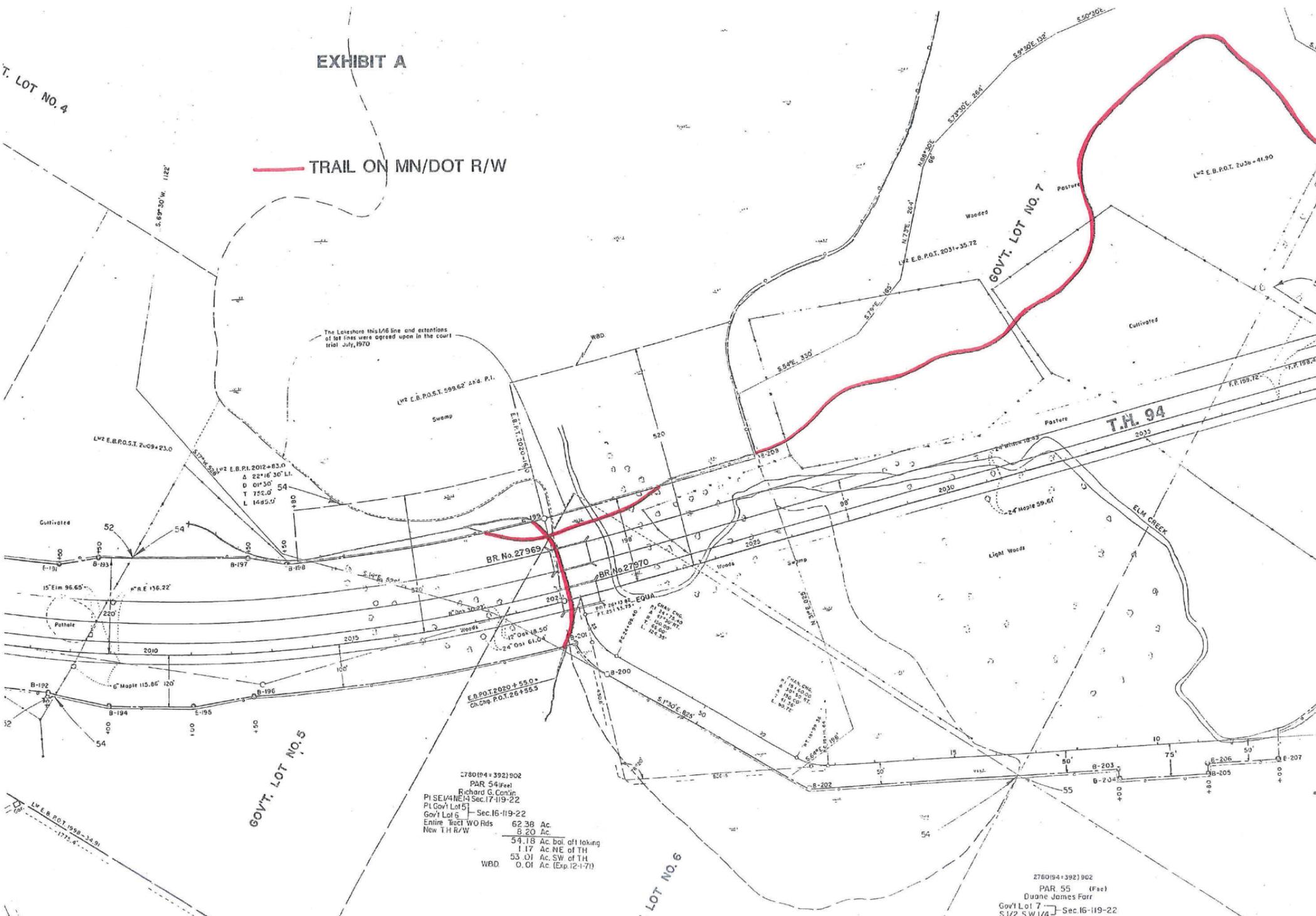
I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 96-195 is a true and correct copy of the Resolution as adopted by the City Council on the 15th day of July, 1996.



Jon Elam, City Clerk

EXHIBIT A

— TRAIL ON MN/DOT R/W



The Lakeshore this 1/16 line and extensions of lot lines were agreed upon in the court trial July, 1970

Lv2 E.B.P.O.S.T. 599.62' and P.I.

Lv2 E.B.P.O.S.T. 2x09+23.0

Lv2 E.B.P.I. 2012+83.0
 Δ 22°16'30" LI
 D 01°30'
 T 752.0'
 L 1485.0'

BR No. 27969

BR No. 27970

T.M. 94
 2025

GOV'T. LOT NO. 5

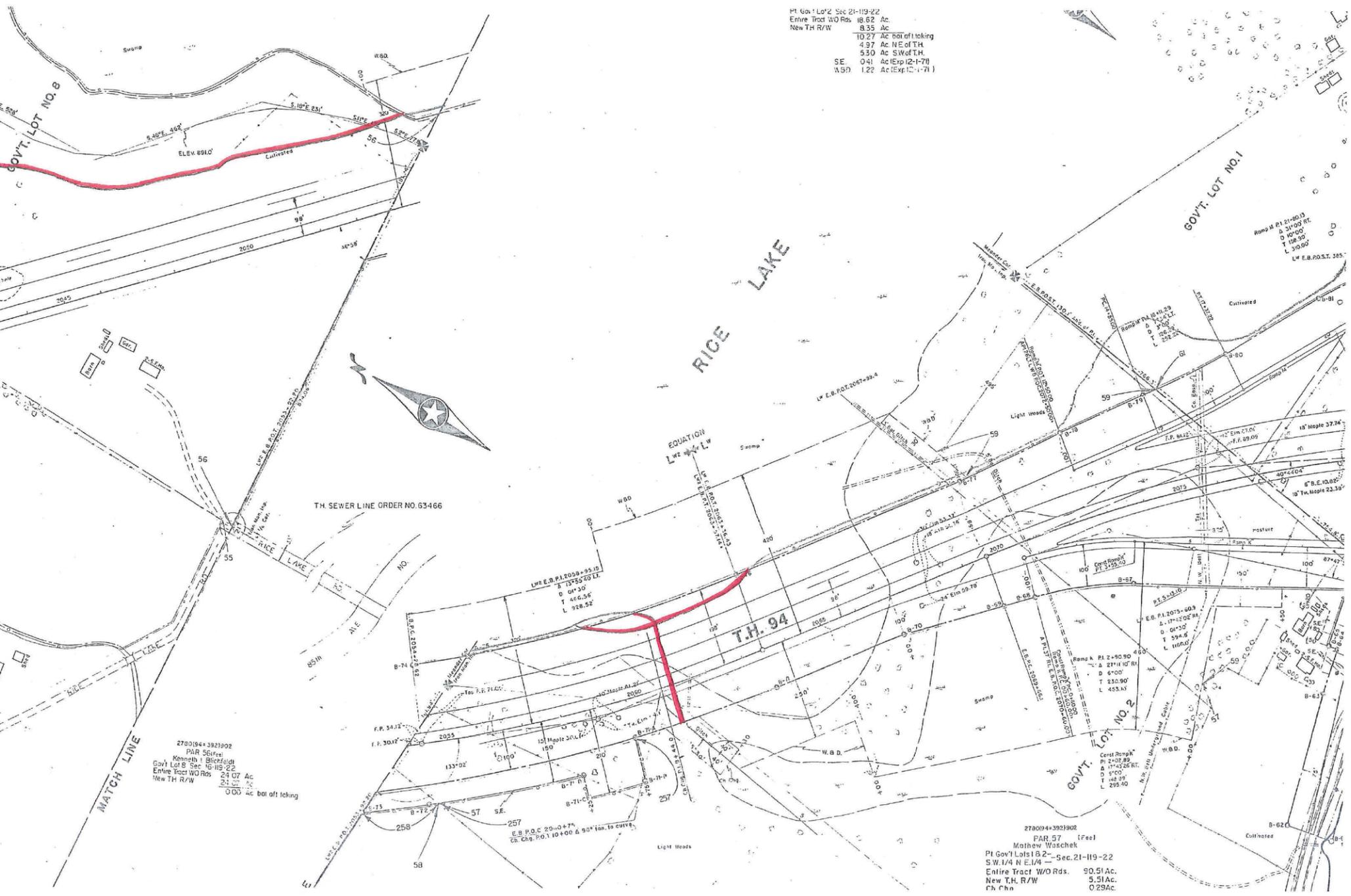
LOT NO. 6

GOV'T. LOT NO. 7

780194 = 3921902
 PAR 54 (Feet)
 Richard G. Conlin
 Pl SE 1/4 NE 1/4 Sec. 17-119-22
 Gov't Lot 5
 Entire Tract WO Rds 62.38 Ac.
 New TH R/W 8.20 Ac.
 54.18 Ac. bal. of taking
 1.17 Ac NE of TH
 53.01 Ac. SW of TH
 WBD 0.01 Ac. (Exp. 12-1-71)

2760194 = 3921902
 PAR 55 (Feet)
 Duane James Farr
 Gov't Lot 7
 S 1/2 S.W. 1/4 Sec. 16-119-22

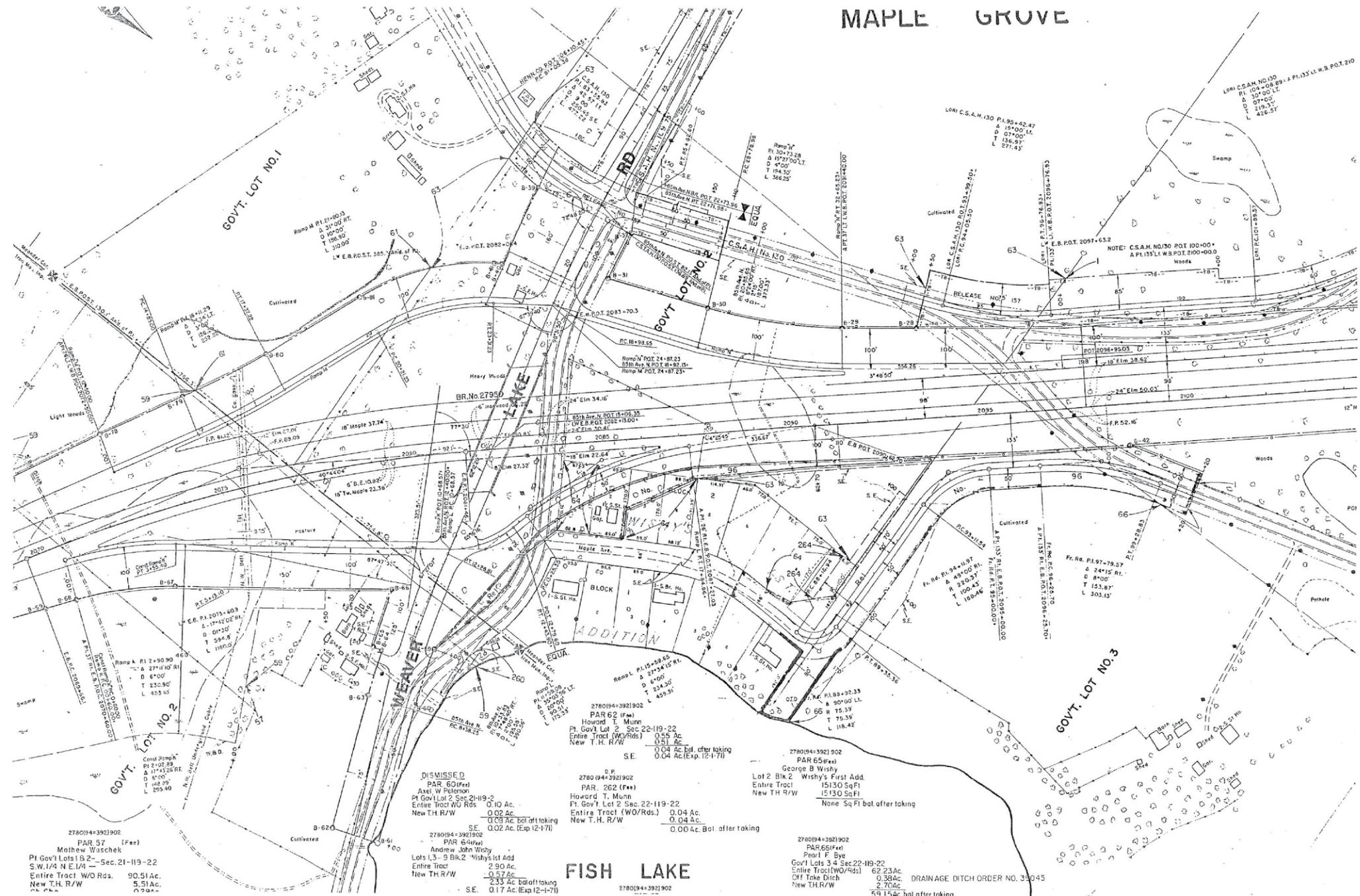
P1 Gov't Lot 2, Sec 21-119-22
 Entire Tract W/O Rds. 18.82 Ac.
 New T.H. R/W 8.35 Ac.
 10.27 Ac. not off taking
 4.97 Ac. NE of T.H.
 5.30 Ac. SW of T.H.
 SE 0.41 Ac (Exp. 12-1-78)
 WSD 1.22 Ac (Exp. 12-1-78)



2780194+3921902
 PAR 56 Fee
 Kenneth J. Blonofski
 Gov't Lot 8 Sec 16-119-22
 Entire Tract W/O Rds. 24.07 Ac.
 New T.H. R/W 24.07 Ac.
 0.00 ac. not off taking

278004+3921902
 PAR 57 (Fee)
 Matthew Waschek
 P1 Gov't Lots 1 & 2 - Sec. 21-119-22
 S.W. 1/4 N.E. 1/4 - 90.51 Ac.
 Entire Tract W/O Rds. 50.51 Ac.
 New T.H. R/W 5.51 Ac.
 Ch. Chn. 0.29 Ac.

MAPLE GROVE



2780194+3921902
 PAR 57 (Fee)
 Mathew Waschek
 Pl Govt Lots 1 & 2 -
 S.W. 1/4 N.E. 1/4 - Sec. 21-119-22
 Entire Tract W/O Rds. 90.51 Ac.
 New T.H. R/W 5.51 Ac.

DISMISSED
 PAR 60 (Fee)
 Axel W. Peterson
 Pl Govt Lot 2 Sec. 22-119-22
 Entire Tract W/O Rds. 0.10 Ac.
 New T.H. R/W 0.02 Ac.
 S.E. 0.02 Ac. bal. after taking
 0.02 Ac. (Exp. 12-1-71)

2780194+3921902
 PAR 64 (Fee)
 Andrew John Wisby
 Lots 1, 3 - 9 Blk. 2 Wisby's First Add.
 Entire Tract 2.90 Ac.
 New T.H. R/W 0.57 Ac.
 S.E. 0.23 Ac. bal. after taking
 0.17 Ac. (Exp. 12-1-71)

FISH LAKE

2780194+3921902
 PAR 62 (Fee)
 Howard T. Munn
 Pl Govt Lot 2 Sec. 22-119-22
 Entire Tract (W/O Rds.) 0.55 Ac.
 New T.H. R/W 0.51 Ac.
 S.E. 0.04 Ac. bal. after taking
 0.04 Ac. (Exp. 12-1-71)

B.P.
 2780194+3921902
 PAR 262 (Fee)
 Howard T. Munn
 Pl Govt Lot 2 Sec. 22-119-22
 Entire Tract (W/O Rds.) 0.04 Ac.
 New T.H. R/W 0.04 Ac.
 S.E. 0.00 Ac. bal. after taking

2780194+3921902
 PAR 65 (Fee)
 George B. Wisby
 Lot 2 Blk. 2 Wisby's First Add.
 Entire Tract 15130 Sq Ft
 New T.H. R/W None Sq Ft bal. after taking

2780194+3921902
 PAR 66 (Fee)
 Pearl E. Bye
 Govt Lots 3 & 4 Sec. 22-119-22
 Entire Tract (W/O Rds.) 62.23 Ac.
 Off Take Ditch 0.38 Ac.
 New T.H. R/W 2.70 Ac.
 S.E. 5.91 Ac. bal. after taking

DRAINAGE DITCH ORDER NO. 33045

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

**LIMITED USE PERMIT FOR
NONMOTORIZED RECREATIONAL TRAIL**

C.S. 2780
County of Hennepin
City of Maple Grove
Rice Lake Trail

In accordance with Minnesota Statutes Section 161.434 and 23 C.F.R. 652 also published as the Federal-Aid Policy Guide, a Limited Use Permit is hereby granted to the City of Maple Grove. This permit is for the purpose of constructing, maintaining and operating a nonmotorized recreational trail (including guardrails, J-barriers, and bridges) called Rice Lake Trail within the right of way of Trunk Highway No. 94 as shown in red on **Exhibit "A"**, which is attached hereto and incorporated herein by reference. This permit is executed by the Permittee pursuant to the attached resolution. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and supervision of the trail (including guardrails, J-barriers, and bridges) shall be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans for such construction shall be approved in writing by the Minnesota Department of Transportation, through the District Engineer.
3. No permanent structure(s) or advertising device(s) in any manner, form or size shall be constructed, placed or permitted to be constructed or placed upon the State of Minnesota right of way.
4. No commercial activity or activities shall be allowed to operate upon said State of Minnesota right of way.

5. Any and all maintenance of the trail (including guardrails, J-barriers, and bridges) shall be provided by the Permittee; this includes, but is not limited to, the plowing and removal of snow, and the installation and removal of regulatory signs.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy said right of way.
7. The Permittee shall preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.
8. Any crossings of the trail over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.
9. The Permittee shall construct the trail (including guardrails, J-barriers, and bridges) at the location shown in the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation District Engineer that the construction geometrics and procedures result in a trail that is compatible with the safe and efficient operation of the highway facility.
10. Approval from Minnesota Department of Transportation District Engineer shall be required for any changes from the approved plan.
11. Upon completion of the construction of the trail (including guardrails, J-barriers, and bridges), the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.
12. This permit does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.
13. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Bikeway or Pedestrian way which would require replacement pursuant to Minnesota Statutes Section 160.264.
14. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation, with or without cause, by giving the Permittee 90

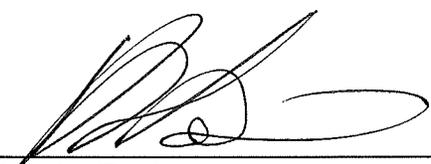
days written notice of such intent. Upon said notice of cancellation the trail (including guardrails, J-barriers, and bridges) shall be removed within 90 days by the Permittee. Upon cancellation of said permit, or any portion thereof, the Permittee will be required to return and restore the area to a condition satisfactory to the Minnesota Department of Transportation District Engineer. The removal of the trail (including guardrails, J-barriers, and bridges) and the return and restoration of the area shall be at no cost to the Minnesota Department of Transportation and at the sole expense of the Permittee.

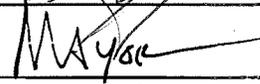
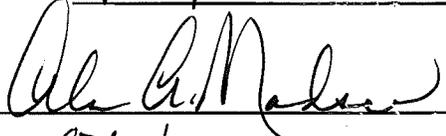
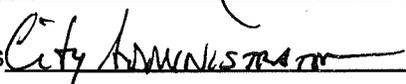
15. The Permittee, for itself, its successors, and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, which provides in part that no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of any trail.
16. The State of Minnesota, through its Commissioner of Transportation, shall retain the right to limit and/or restrict the parking of vehicles and assemblage of trail users on the highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and trail users.
17. No assignment of this permit is allowed.
18. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
19. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns, from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the operations of the trail (including guardrails, J-barriers, and bridges) or from the use of the portion of highway right of way over which this permit is granted.
20. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns from claims arising or resulting from the temporary or permanent termination of trail user rights on any portion of highway right of way over which this permit is granted.
21. The Permittee will hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages.

22. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State of Minnesota from all such liens and claims.

MINNESOTA DEPARTMENT
OF TRANSPORTATION

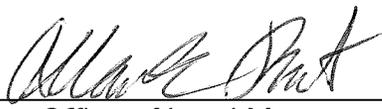
RECOMMENDED FOR APPROVAL

By: 
District Engineer
for
Date 6/20/03

By 
Its 
And 
Its 
Date 6-17-03

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: 
Director, Office of Land Management
Date 6/26/03

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and Deputy Clerk of the City of Maple Grove, Hennepin County, Minnesota, hereby certify that I have carefully compared the attached Resolution with the original thereof on file and of record in my office, and the same is a full, true and correct copy of City Council Resolution No. 03-076 as adopted on the 19th day of May, 2003.

WITNESS, my hand and seal this 20th day of May, 2003.



Alan A. Madsen, City Administrator



RESOLUTION NO. 03-076

A RESOLUTION AUTHORIZING MAYOR AND CITY ADMINISTRATOR TO EXECUTE A LIMITED USE PERMIT FOR A TRAIL ALONG THE NORTHEAST SIDE OF INTERSTATE HIGHWAY 94 BETWEEN WEAVER LAKE ROAD AND CSAH 30

WHEREAS, the Rice Lake Trail, or portion thereof, is located within the Minnesota Department of Transportation right-of-way; and

WHEREAS, the Minnesota Department of Transportation requires Limited Use Permits for trail within its right-of-way; and

WHEREAS, the City of Maple Grove was granted a Limited Use Permit for Rice Lake Trail by the Minnesota Department of Transportation, dated January 2, 1997; and

WHEREAS, portions of Rice Lake Trail are located in close proximity of the Freeway Clear Zone; and

WHEREAS, the City of Maple Grove has prepared plans to add traffic barrier along Rice Lake Trail within Minnesota Department of Transportation right-of-way between approximately Weaver Lake Road and CSAH 30 for pedestrian safety; and

WHEREAS, Minnesota Department of Transportation requires a revised Limited Use Permit to add traffic barrier; and

WHEREAS, the Limited Use Permit requires the City of Maple Grove assume all obligations or responsibilities for the maintenance and operation of that portion of trail located within the corporate limits of the City of Maple Grove.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLE GROVE:

1. The City of Maple Grove approve the State of Minnesota Department of Transportation Limited Use Permit for City of Maple Grove construction and maintenance of a non-motorized recreational trail on Mn/DOT Interstate Highway 94 right-of-way.
2. The Mayor and City Administrator are hereby authorized to execute said agreement on behalf of the City of Maple Grove.
3. The City Clerk is directed to forward five (5) certified copies of this resolution to Mr. John Isackson, Mn/DOT Metro Right-of-way, 1500 West County Road B2, Roseville, MN 55113.

Adopted by the City Council on this 19th day of May, 2003.

The motion for the adoption of the foregoing resolution was made by Councilmember Koski, seconded by Councilmember Sargent, and upon vote being duly taken thereon, the following voted in favor thereof: Mayor Steffenson, Councilmembers Amery, Jaeger, Koski and Sargent

and the following voted against the same: none

and the following were absent: none

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 03-076 is a true and correct copy of the Resolution as adopted by the City Council on the 19th day of May, 2003.



Alan A. Madsen
Alan A. Madsen, City Clerk



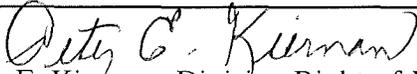
USE OF RIGHT-OF-WAY AIRSPACE

To: The Honorable Carol Molnau Lt. Governor Department of Transportation MS 631, Transportation Building St. Paul, Minnesota 55155	Re: 7300 Fed. No.: I-94 C.S. 2780 City of Maple Grove Hennepin County Non-motorized Recreational Trail
--	---

Type of Action:	Limited Use Permit for the City of Maple Grove to construct, operate, and maintain a non-motorized recreational trail within I-94 right-of-way.
-----------------	---

Limiting Conditions and/or Comments: NONE	PEK/pk Orig. & 2 cc Pint 1 cc R/W w/Letter & Map 1cc MnDOT-Neal Bartelt (MS632)
---	--

Approved by FHWA <u> X </u>	Disapproved by FHWA <u> </u>
-------------------------------	-----------------------------------

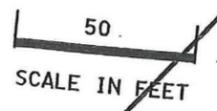
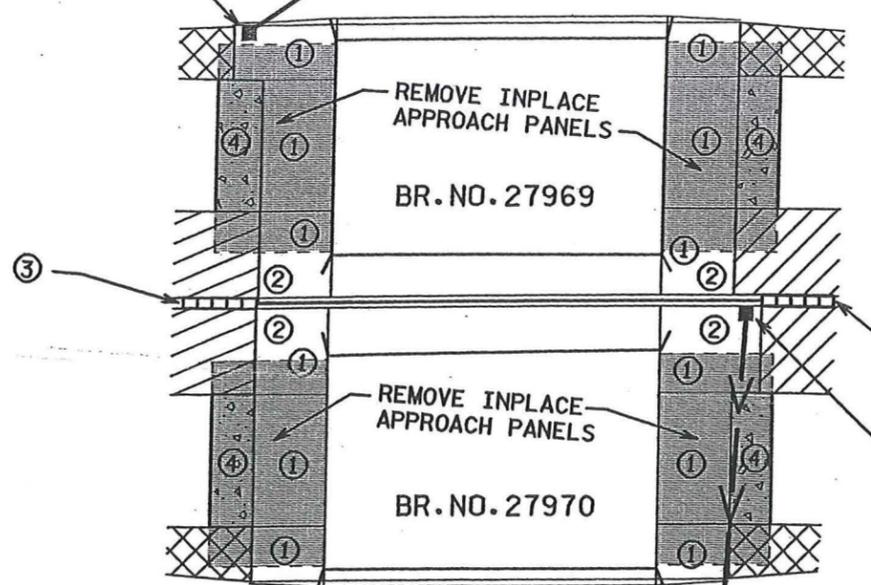
 Peter E. Kiernan, Division Right-of-Way Officer	Date: 7-2-03
--	--------------



STRUCT. 5058 CB
APRON 5059

NOTES:

- ① BRIDGE APPROACH
BRIDGE APPROA
SHEETS NO. 15-...
- ② CONSTRUCT 48 LIN FT (TOTAL) OF MEDIAN
BARRIER IN ACCORDANCE WITH STANDARD
PLATE 8336 (TYPE A-A), WITHOUT FILL
BETWEEN BARRIER SECTIONS. PAVE APPROACH
PANEL TO BARRIER.
- ③ INSTALL "QUAD GUARD" IMPACT
ATTENUATOR. SEE SHEET NO. 8.
- ④ REPLACE REINFORCED CONCRETE PAVEMENT.
(REMOVE 193 SQ YD INPLACE CONCRETE
APPROACH PANEL).



INSTALL 100' GUARDRAIL

INSTALL 400' J-BARRIER
OR GUARDRAIL
(OPTIONAL)

FOR DRAINAGE PROFILES AND TABULATION,
SEE SHEET NO. 107.

STRUCT. 5060 CB

STRUCT. 5061 MH

APRON 5062

MNDOT R/W

RICE LAKE TRAIL

WB T.H. 94
CLEAR ZONE

BEGIN 1:60 TAPER
STA. 2011+45

BEGIN 1:60 TAPER
STA. 2011+82

BEGIN 1:15 TAPER
STA. 2019+13 TO
2019+90

BEGIN 1:15 TAPER
STA. 2021+20 TO
2022+02

EXHIBIT "A"
10 of 5

NEW PLATE BEAM GUARDRAIL
AND TRAFFIC BARRIER
DESIGN SPECIAL.
SEE SHEET NO. 8.

USE EROSION CONTROL BLANKET
SEE SHEET NO. 9

FLOTATION SILT CURTAIN
SEE SHEET NO. 9.

PLACE RIPRAP

ELM CREEK

END 7" SHOULDER
REPLACEMENT
STA. 2025+55

LEGEND

- 4" DEPTH SHLD. REPLACEMENT
- 7" DEPTH SHLD. REPLACEMENT
- CONCRETE PAVEMENT
- STORM SEWER

DRAWN BY: RAM
CHECKED BY: JRM
CERTIFIED BY:

LICENSED PROFESSIONAL ENGINEER

LIC. NO. 22180 DATE

STATE PROJ. NO. S.P. 2780-53/T.U. 24

CONSTRUCTION, DRAINAGE,
EROSION CONTROL & TURF PLAN

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27-MAR-2003 16:21

27-MAR-2003 16:21

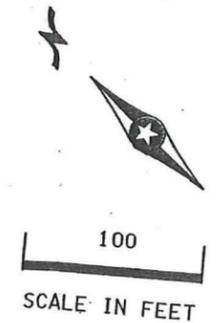
d27805ROW98

05-APR-2003 13:16

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MATCH LINE FOR TRAIL
(SEE SHEET S OF S)

RICE LAKE TRAIL



END 1:60 TAPER
STA. 2029+35

WB T.H. 94

EB T.H. 94

BEGIN 7" SHOULDER
REPLACEMENT
STA. 2030+00

END 1:60 TAPER
STA. 2029+35

2 of 5

LEGEND	
	4" DEPTH SHLD. REPLACEMENT
	7" DEPTH SHLD. REPLACEMENT

DRAWN BY: RAM CHECKED BY: JRM CERTIFIED BY: _____
LICENSED PROFESSIONAL ENGINEER

LIC. NO. 22180 DATE _____

STATE PROJ. NO. S.P. 2780-53 (T.H. 94)

CONSTRUCTION, DRAINAGE, EROSION CONTROL & TURF PLAN

EASTERN STRUCTURE

MATCH LINE FOR TRAIL
(SEE SHEET 5 OF 5)



100
SCALE IN FEET

INSTALL 100' GUARDRAIL

RICE LAKE TRAIL

MNDOT RW

BEG. 1:60 TAPER
STA. 2051+80

WB T.H. 94

RISER STANDPIPE

STRUCT. 5064 DI

STRUCT. 5063 DI

GRADE AREA TO DRAIN

NEW PLATE BEAM
GUARDRAIL AT BRIDGE.
SEE SHEET NO. 8.

BEG. 1:60 TAPER
STA. 2051+96

EB T.H. 94

BEGIN 7" SHOULDER
REPLACEMENT
STA. 2055+40

END 7" SHOULDER
REPLACEMENT
STA. 2051+03

CUL END

FOR DRAINAGE PROFILES & TABULATION,
SEE SHEET NO. 107.

LEGEND

-  4" DEPTH SHLD. REPLACEMENT
-  7" DEPTH SHLD. REPLACEMENT
-  STORM SEWER

3 of 5

CONSTRUCTION, DRAINAGE,
EROSION CONTROL & TURF PLAN

SHEET 99 OF 122 SHEETS

DRAWN BY: RAM

CHECKED BY: JRM

CERTIFIED BY _____
LICENSED PROFESSIONAL ENGINEER

LIC. NO. 22180 DATE _____

STATE PROJ. NO. S.P. 2780-53 (T.H. 94)

d278053ROW99

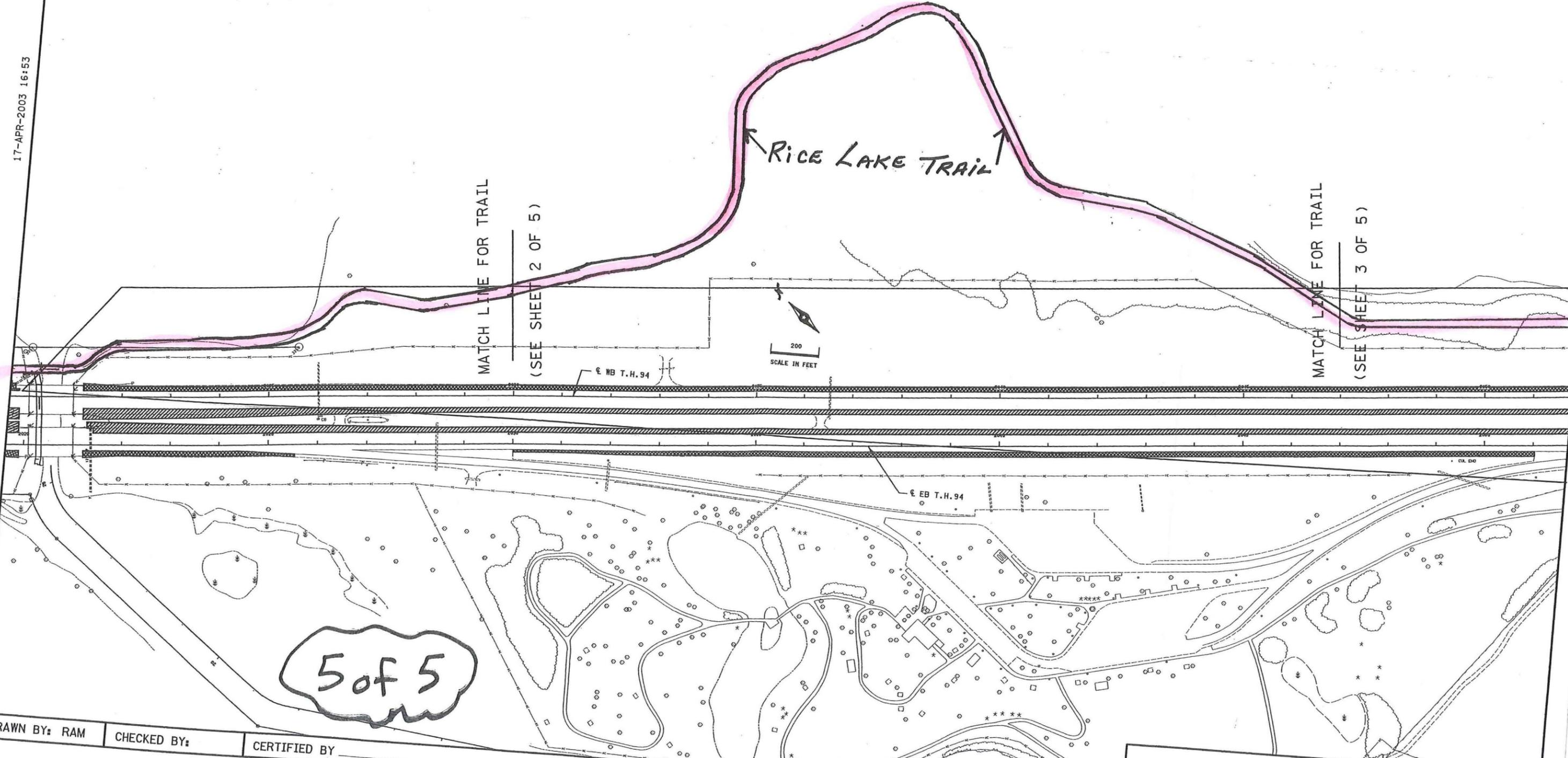
19-MAR-2003 14142

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d27805RM98

17-APR-2003 16:53

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DRAWN BY: RAM

CHECKED BY:

CERTIFIED BY

LICENSED PROFESSIONAL ENGINEER

LIC. NO.

DATE - -20

STATE PROJ. NO.

TRAIL EXHIBIT

(T.H. 94)

S.P. 2780 (T.H. 94)
At Rice Lake Rest Area
Shadow Creek Trail
Limited Use Permit

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

LIMITED USE PERMIT

In accordance with Minnesota Statutes Sec. 161.434 and Federal Aid Highway Program Manual Volume 7, Chapter 4, Section 3, and Federal Aid Program manual Volume 6, Chapter 2, Section 5, Subsection 2, a Limited Use Permit is granted to the City of Maple Grove. This permit is for the purpose of constructing, maintaining and supervising a non-motorized recreational trail within the rights of way of Trunk Highway No. T.H. 94 as shown on Exhibits A and B, which are attached and incorporated as a part of this permit. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. This permit is granted for the purpose of construction and maintenance, by the City of Maple Grove of a non-motorized recreational trail.
2. The construction, maintenance, and supervision of the trail will be at no expense to the Minnesota Department of Transportation.
3. Before construction of any kind, the plans for such construction shall be approved in writing by the Minnesota Department of Transportation, through its District Engineer.
4. No permanent structures or advertising devices in any form or size shall be constructed, placed or permitted to be constructed or placed upon the State's Right of Way.
5. No commercial activities shall be allowed on State's Right of Way.
6. All maintenance of the trail shall be provided by the City of Maple Grove; this includes the plowing and removal of snow during the winter, and installation and removal of regulatory signs.
7. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the State's right of way.

8. The City of Maple Grove will preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation.
9. The trail shall be located on the southerly side of T.H. 94 and shall not cross the main roadways.
10. The City of Maple Grove shall construct the trail at the location shown in the attached Exhibits A, B, C, D and E subject to verification by the Minnesota Department of Transportation's District Engineer at Golden Valley that the construction geometrics and procedures result in a trail that is compatible with the safe and efficient operation of the highway facility.
11. Approval from Mn/DOT District Engineer, will be required for any changes on Highway Right of Way from the approved plan.
12. The City of Maple Grove upon completion of the construction of the trail, shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and esthetics are perpetuated.
13. This permit does not release the City of Maple Grove from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agencies relating thereto and any necessary permits relating thereto shall be obtained by the City of Maple Grove.
14. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Trail or Pedestrian way which would require replacement pursuant to Minnesota Statutes (1976) 160.264.

15. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation for any cause or reason, by giving the City of Maple Grove 60 days written notice of such action. Upon cancellation of said permit the trail shall be removed within 60 days at no cost to the Minnesota Department of Transportation.
16. The City of Maple Grove for itself, its heirs, its personal representatives, successors in interest, and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, to the end that in accordance with the Act, Regulations, and other pertinent directions, no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of the non-motorized recreational trail.
17. The City of Maple Grove will hold harmless and indemnify the State, its Commissioner of Transportation and employees from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the trail operations or its successors and assigns from the trail use of the portion of highway right of way over which this permit is granted.
18. The City of Maple Grove will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims resulting from the temporary or permanent termination of trail user rights on any portion of highway right of way over which this permit is granted.
19. The State, through its Commissioner of Transportation, shall retain the right to limit and/or restrict the parking of vehicles and assemblage of trail users on the highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and trail users.

RECOMMENDED FOR APPROVAL

CITY OF MAPLE GROVE

By: CE Weichselbaum
For District Engineer

By: [Signature]
Park Board Chairperson

Date 11/6/90

Date 11-2-90

APPROVED BY:

COMMISSIONER OF TRANSPORTATION
DEPARTMENT OF TRANSPORTATION BLDG.
ST. PAUL, MINNESOTA 55155

By: [Signature]
Director, Office of Right of Way
and Surveys

By: Terry Junt
PARKS AND RECREATION Director

Date 11-8-90

Date 11/1/90

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

This instrument was drafted by the
State of Minnesota, Department of
Transportation, Reconveyance Unit
St. Paul, Minnesota 55155
RW11953AG.07

REQUEST FOR BOARD ACTION

Meeting

Date: 8-16-90

Business Items: New Business

Item Number: 4

Agenda Item: Shadow Creek Trail Limited Use Permit

Recommended Board Action:

4-0

Motion by Board Member PHENOW to approve, table or reject a statement of support for the construction and long term maintenance of the Shadow Creek Trail.

Background:

Park Board staff submitted a limited use permit to the Minnesota Department of Transportation for use of the right of way of old Rice Lake Road for the purpose of a pedestrian trail. As part of the permit Mn Dot requires that the Board take official action regarding construction and long term maintenance of the trail. The action noted above will provide the necessary authorization to support the project.

Board Comments:

LW2 E.B.P.

Pothole

56

F.P. 199.72

F.P. 198.48

2040

Cultivated

Cultivated

2035

ELM CREEK

REST AREA

Pasture

W. 18-43

24" Maple 59.61'

Light Woods

Sheds

Barn

2-S.F.Ho.

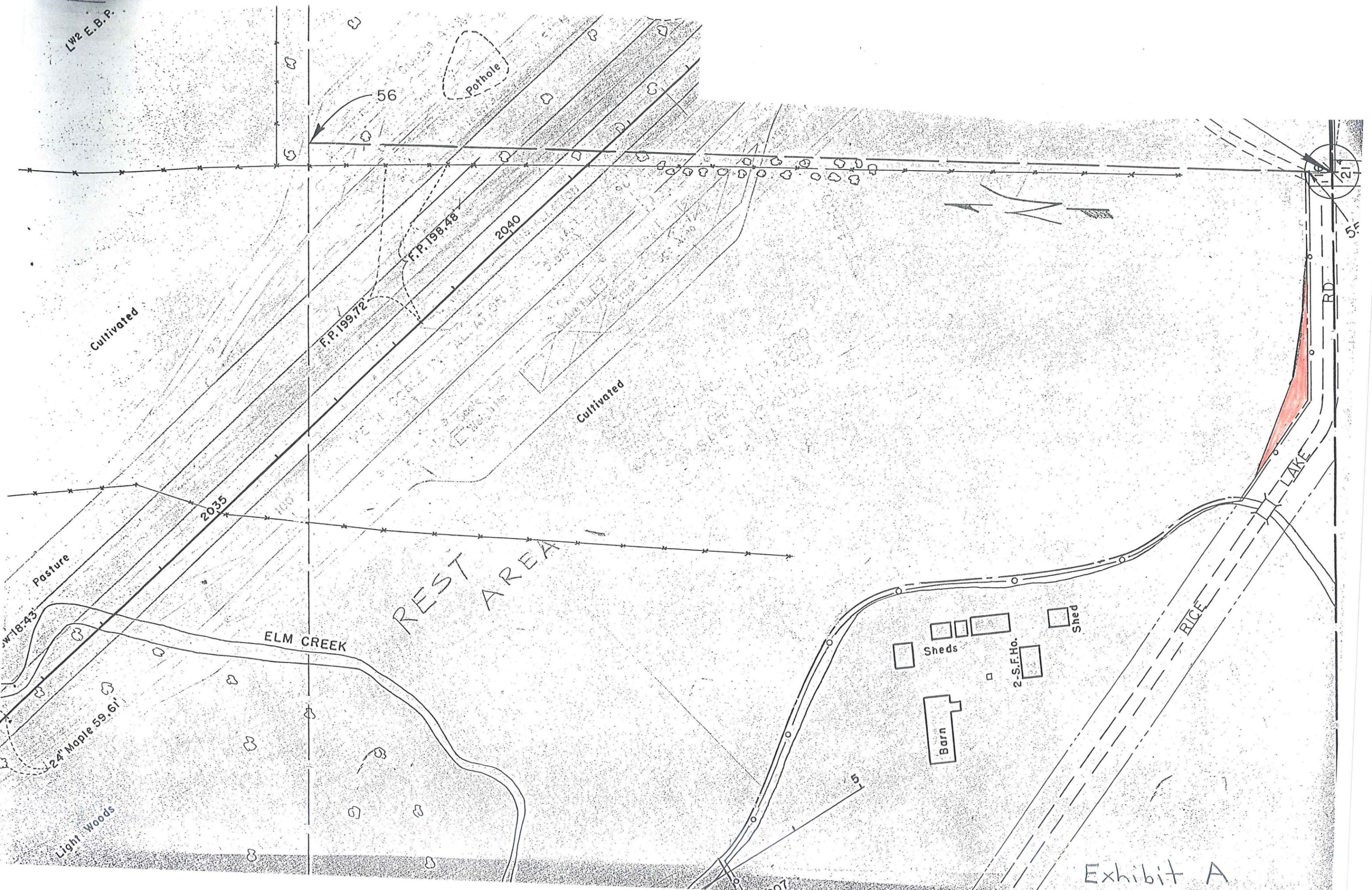
Shed

RICE

LAKE

RD

Exhibit A





REC'D
7/20/90

July 13, 1990

□ 14180 Trunk Hwy. 5
Eden Prairie, MN 55344
612-937-5150

□ 8525 Edinbrook Crossing
Brooklyn Park, MN 55443
612-424-8862

Mr. William Crawford, District Engineer
Minnesota Department of Transportation - District 5
2055 North Lilac Drive
Golden Valley, MN 55422

FAX 612-937-5822

FAX 612-424-7994

Re: Limited Use Permit Approval
Shadow Creek Trail Construction - Maple Grove, MN
South 1/2 of the Southeast 1/4 of the Southwest 1/4 Sec. 16 T119 R22

Dear Mr. Warden:

The City of Maple Grove Parks and Recreation Board is proposing to construct an 8 foot wide bituminous trail on the Old Rice Lake Road roadbed, south of the I-94 rest area in Maple Grove. Please see the enclosed project location map.

The following enclosed documents constitute the submittal package to gain your approval for a use permit. We are also seeking a work permit under a separate submission.

- Exhibit A: Project Location Map
- Exhibit B: Legal Description Sketch Drawing
- Exhibit C: Legal Description Proposed Trail Easement
- ~~Exhibit D: Shadow Creek Trail Construction Plan 24" x 36" Blueline Print Sheet 7/10 Date 3/26/90~~
- Exhibit E: Typical Trail Section, Detail A/10

This trail link is part of an overall trail system the City has been working toward for several years. It was an oversight which allowed the Rice Lake Road to be vacated.

We would appreciate your assistance in establishing our right to have a trail here. Please notice the trail will be entirely beyond your fence around the Interstate rest area.

If you have any questions, please call me at 937-5150. Westwood Professional Services, Inc. is the consulting planner for the Maple Grove Parks and Recreation Board.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES, INC.

Gordon P. Anderson
Gordon P. Anderson

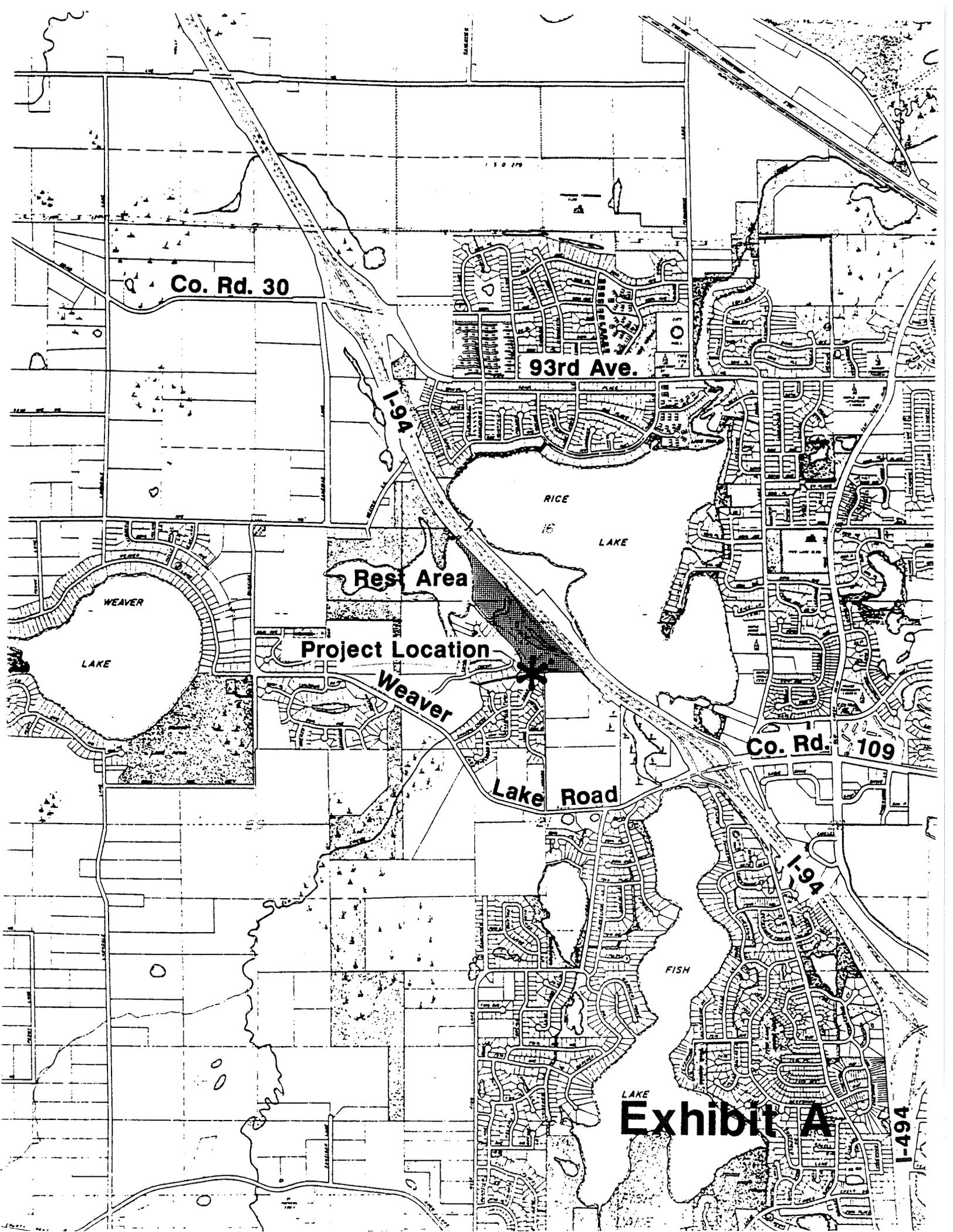
GPA:js

cc: Mr. Terry Just, Director
Maple Grove Parks & Recreation

enclosure

Dist. Eng.	
ADE Pre-Des.	
ADE Pre-Conn.	
ADE Const.	
Dist. Eng.	
ADE Const.	
Acct. Mgr.	
Int. Plan Mgr.	
JAC	

JUL 18 1990



Co. Rd. 30

93rd Ave.

I-94

RICE LAKE

Rest Area

Project Location

Weaver

Lake Road

Co. Rd. 109

I-94

FISH LAKE

Exhibit A

I-494



□ 14180 Trunk Hwy. 5
Eden Prairie, MN 55344
612-937-5150

□ 8525 Edinbrook Crossing
Brooklyn Park, MN 55443
612-424-8862

FAX 612-937-5822

FAX 612-424-7994

LEGAL DESCRIPTION: PROPOSED TRAIL EASEMENT

That part of the Southwest Quarter of Section 16, Township 119, Range 22, Hennepin County, Minnesota, lying southeasterly of the centerline of Elm Creek and which also lies northeasterly of the northeasterly line and its southeasterly extension of Quarles Road as dedicated on the plat of SHADOW CREEK 3RD ADDITION, according to the plat of record thereof, and which also lies southerly of a line described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence North 01 degrees 43 minutes 56 seconds East, assumed bearing, along the east line of said Southwest Quarter, a distance of 16.51 feet to the actual point of beginning; thence South 89 degrees 50 minutes 08 seconds West, a distance of 104.23 feet; thence North 78 degrees 29 minutes 36 seconds West, a distance of 18.07 feet; thence North 84 degrees 26 minutes 19 seconds West, a distance of 107.03 feet; thence North 79 degrees 08 minutes 15 seconds West, a distance of 109.08 feet; thence North 68 degrees 13 minutes 48 seconds West, a distance of 32.24 feet; thence North 57 degrees 43 minutes 17 seconds West, a distance of 85 feet more or less to the centerline of Elm Creek and said line there terminating.

Exhibit C



MATCH LINE

2780(94 = 392)902
 PAR. 56(Fee)
 Kenneth L. Blichfeldt
 Govt Lot 8 Sec. 16-119-22
 Entire Tract WO Rds. 24.07 Ac
 New T.H. R/W 24.07 Ac
 0.00 Ac bal. off. Adking

Barn
 Sheds
 2-S.F.Ho.
 Shed

Barn
 Sheds
 Gar.
 2-S.F.Ho.

Pothole

RD

55

56

211

Iron Mon. Imp.
 at 1/4 Cor.

RICE LAKE

57

T.H.

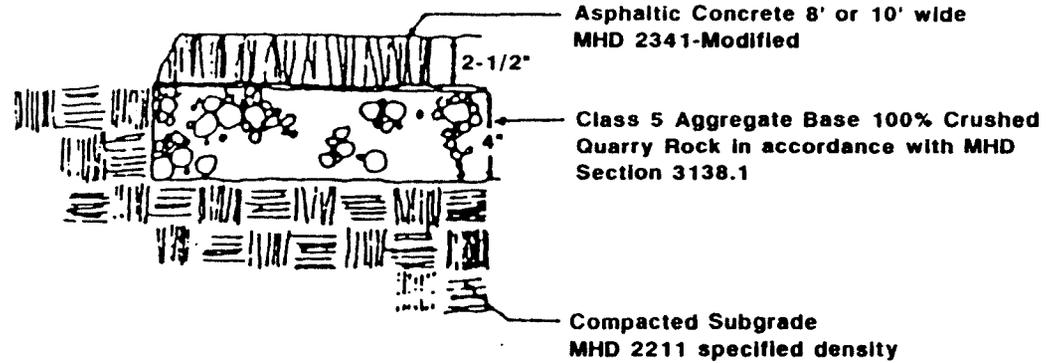
LW2 E.B.P.O.T. 2053-92.20
 874.06

2045

2050

EXHIBIT D

Asphalt with Granular Base



A
10

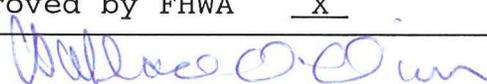
Typical Trail Section

No Scale

Exhibit E

Region 5 - Minnesota Division
 Form 415.5 1-20-89

DISPOSAL OF RIGHT-OF-WAY

To: Mr. Leonard W. Levine Commissioner Department of Transportation Room 411, Transportation Building St. Paul, Minnesota 55155	Re: 360 Fed. No. S.P. 2780 (T.H. 94) County: Hennepin - City of Maple Grove Pcl(s): Rice Lake Rest Area Shadow Creek Trail
Type of Action: Limited Use Permit Fed. Funds in R/W: Yes ___ No <u>X</u>	
Limiting Conditions and/or Comments: None	
RLK/rk Orig. & 2cc R. Dinneen 1cc R.F. 1cc R/W w/ltr. & map	
Approved by FHWA <u> X </u>	Disapproved by FHWA <u> </u>
 Division Right-of-Way Officer	Date October 22, 1990

If Federal funds in right-of-way, please complete the following and return to:

FHWA, Division Right-of-Way Officer

Pcl. #	Federal Project Credited	Amount	Date
Schedule No(s): _____			
Right of Way Accounting		Date	

S.P. 2780 (94=392)
City of Maple Grove (Hennepin County)
Rice Lake Trail
North East Quadrant of I-94 & Weaver Lake Road

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

LIMITED USE PERMIT

In accordance with Minnesota Statutes Sec. 161.434, a Limited Use Permit is granted to the City of Maple Grove, hereinafter referred to as the "Applicant", for the purpose of constructing, maintaining, and operating the Rice Lake Trail within the State of Minnesota Department of Transportation's, hereinafter referred to as the "State" or the "Minnesota Department of Transportation", right of way as shown in red on Exhibit "A" which is attached and incorporated as a part of this permit. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and operation of the Rice Lake Trail will be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans and specifications for such construction shall be approved by the Minnesota Department of Transportation, through the Division Engineer of the Metro Division.
3. No advertising devices in any form or size shall be constructed, placed or permitted to be constructed or placed upon the State's right of way.
4. No commercial activities shall be allowed on State's right of way.
5. All maintenance of the Rice Lake Trail shall be provided by the Applicant; this includes the installation and removal of regulatory signs, and the enforcement relating to the safe and proper utilization of the park and ride site.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the State's right of way.
7. The Applicant will preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation.
8. The Applicant shall construct the Rice Lake Trail at the location shown on the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation's Division Engineer of the Metro Division that the construction geometrics and procedures are compatible with the safe and efficient operation of the highway facility.
9. The Applicant shall notify the Roadway Regulations Supervisor, Bill Warden, at (612) 582-1443, seven (7) days prior to starting of its operations.

S.P. 2780 (94=392)
City of Maple Grove (Hennepin County)
Rice Lake Trail
North East Quadrant of I-94 & Weaver Lake Road

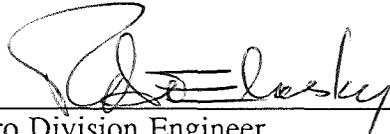
10. The Applicant upon completion of the construction shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated. The applicant shall not do any excavating or filling which would alter or impede drainage at the subject site.
11. This permit does not release the Applicant from any liability or obligation imposed by Federal Law, Minnesota Statutes, local ordinances, or other agencies relating thereto and any necessary permits relating thereto shall be obtained by the Applicant.
12. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968.
13. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation for any other highway or transportation purposes, by giving the Applicant 60 days written notice of such action. Upon cancellation, any relocation of the Rice Lake Trail will be performed by the Applicant at the sole expense of the Applicant.
14. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the Applicant's operations or its successors and assigns from the Applicant's use of the portion of highway right of way over which this permit is granted.
15. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from any and all public use of the Rice Lake Trail.
16. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damage.
17. The Applicant shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Applicant shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Applicant.

S.P. 2780 (94=392)
City of Maple Grove (Hennepin County)
Rice Lake Trail
North East Quadrant of I-94 & Weaver Lake Road

18. The Applicant (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmen' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State from all such liens and claims.

S.P. 2780 (94=392)
City of Maple Grove (Hennepin County)
Rice Lake Trail
North East Quadrant of I-94 & Weaver Lake Road

RECOMMENDED FOR APPROVAL

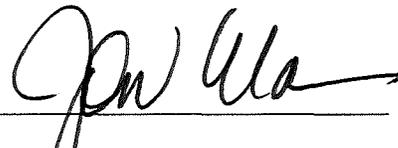
By: 
Metro Division Engineer
Date 6/8/95

CITY OF MAPLE GROVE

By: Robert A. Beulungsme
Date June 19, 1995



APPROVED BY:

By: 
Date 6-20-95

COMMISSIONER OF TRANSPORTATION
DEPARTMENT OF TRANSPORTATION BLDG.
ST. PAUL, MINNESOTA 55155

By: J. Eldon Lober
Director, Office of Right of Way
and Surveys
Date 6-30-95

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and acting Deputy Clerk of the City of Maple Grove, Hennepin County, Minnesota, hereby certify that I have carefully compared the attached resolution with the original thereof on file and of record in my office, and the same is a full, true, and correct copy of Resolution 95-136.

WITNESS, my hand and seal this 27th day of June, 1995.



Colette A. Tengwall
Colette A. Tengwall, Deputy City Clerk



RESOLUTION NO. 95-136

RESOLUTION APPROVING THE LIMITED USE PERMIT S.P. 2780 WITH THE STATE OF MINNESOTA RELATING TO TRAIL CONSTRUCTION CONNECTING RICE LAKE TRAIL TO WEAVER LAKE ROAD.

WHEREAS, the City is desirous of the Rice Lake Trail to extend to Weaver Lake Road; and

WHEREAS, Minnesota Department of Transportation has submitted to the City, Limited Use Permit No. S.P. 2780 which identifies both the City's and State's responsibilities pursuant to construction plans as part of 1995 Park Trails and Tennis Courts Project; and

WHEREAS, the Maple Grove City Council has reviewed said Limited Use Permit and concurs with its contents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove, Minnesota:

1. The Mayor and City Clerk are hereby authorized to execute Limited Use Permit S.P. 2780.
2. The Maple Grove Parks and Recreation Board may proceed with Rice Lake Trail construction in accordance with the 1995 Park Trails and Tennis Courts Project.

Adopted by the City Council on this 19th day of June, 1995.

The motion for the adoption of the foregoing resolution was made by City Councilmember Sargent, seconded by City Councilmember Ramstad, and upon vote being duly taken thereon, the following voted in favor thereof: Mayor Burlingame, Councilmembers Burtness, Koski, Ramstad and Sargent.

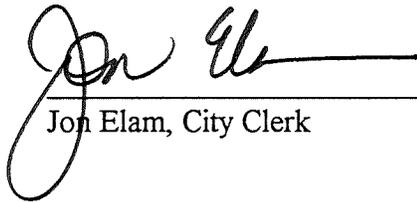
and the following voted against the same: none

and the following were absent: none

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 95-136 is a true and correct copy of the Resolution as adopted by the City Council on the 19th day of June 1995.



Jon Elam, City Clerk



I-94

New/Relocated I-94 "R.O.W." Fence

12"x24' CMP w/FES

Work in this area to be done only after City has obtained Approvals

40'±

45°

Drainage and U

210' FENCE REMOVAL BY CONTRACTOR ONLY IF TRAIL TO WEAVER LAKE RD. IS APPROVED FOR CITY INSTALLATION.

Meet existing grade at existing trail

Trail center line post & bollards by Parks Dept.

Establish flow to West between trail and former fence line. Slope to West.

Sod

Park and Ride

Construct 8' Wide Bituminous Trail - Tilt toward South

Revision 5/31/95

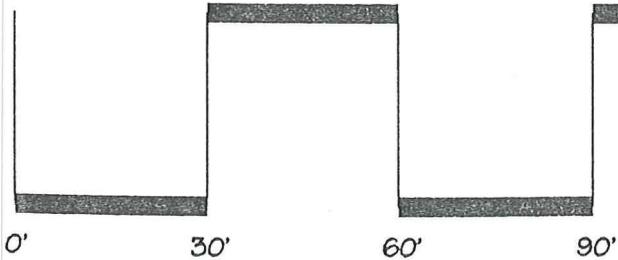
6' from former fence line. Tip toward former fence/or South.

NORTH



Weaver Lake Road

EXHIBIT "A"



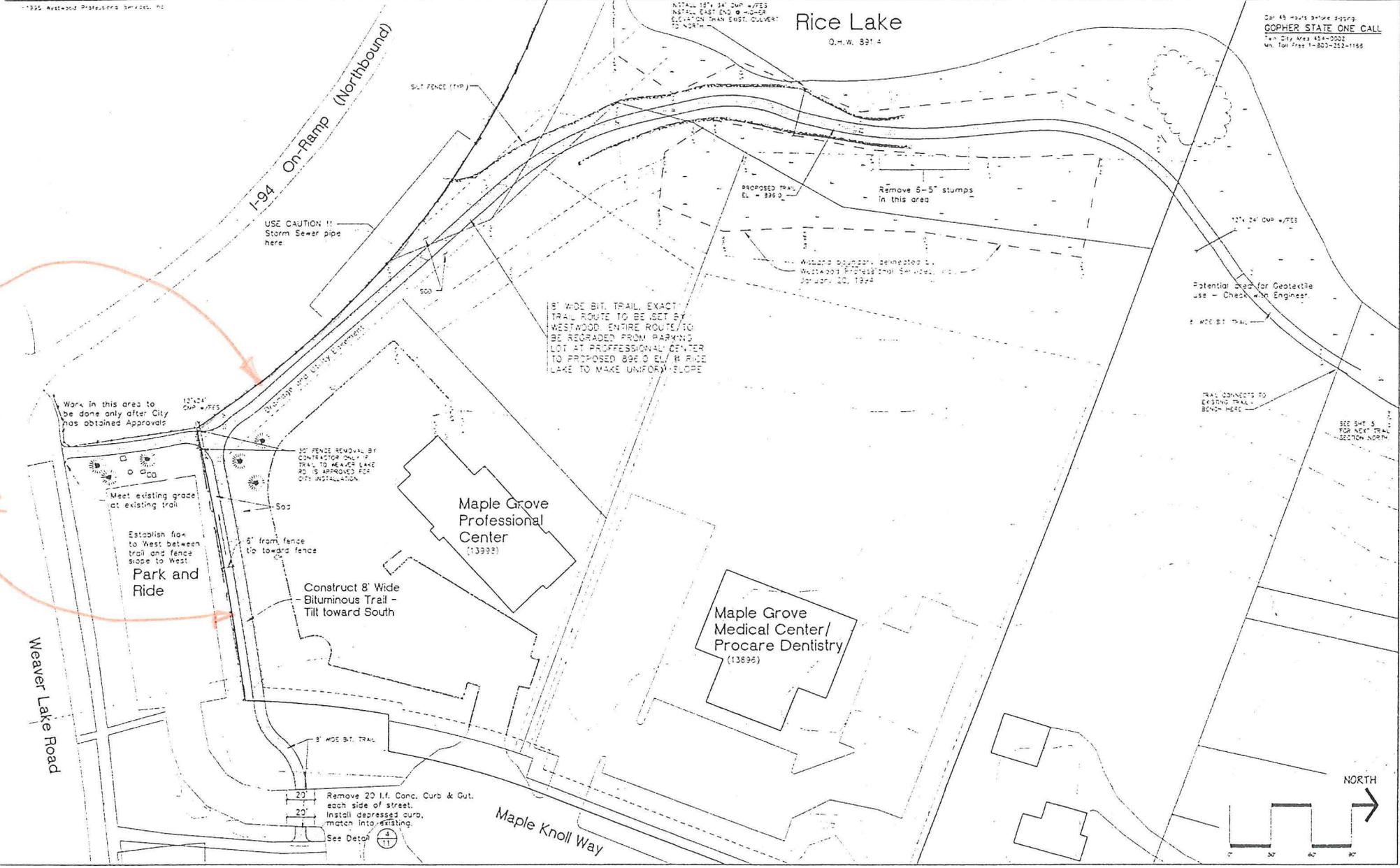
INSTALL 12" 24" CUP W/FES
INSTALL EAST END @ HIGHER
ELEVATION THAN WEST. DUCTILE
TO NORTH

Rice Lake

O.H.W. 891.4

Call 48 hours before digging
GOPHER STATE ONE CALL
Twin City Area 454-5002
MN Toll Free 1-800-252-1166

MN DOT Plan



Work in this area to be done only after City has obtained Approvals

USE CAUTION !! Storm Sewer pipe here

8' WIDE BIT. TRAIL EXACT TRAIL ROUTE TO BE SET BY WESTWOOD. ENTIRE ROUTE TO BE REGRADED FROM PARKING LOT AT PROFESSIONAL CENTER TO PROPOSED 890.0 EL. @ RICE LAKE TO MAKE UNIFORM SLOPE

Remove 8-5" stumps in this area

Potential area for Geotextile Use - Check with Engineer

Meet existing grade at existing trail

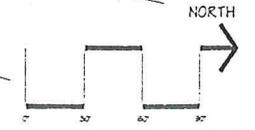
Establish flow to West between trail and fence slope to West
Park and Ride

Construct 8' Wide Bituminous Trail - Tilt toward South

Maple Grove Professional Center
(13393)

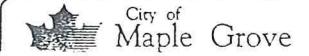
Maple Grove Medical Center/ Procure Dentistry
(13896)

20' Remove 20 l.f. Conc. Curb & Gut. each side of street.
20' Install depressed curb, match into existing.
See Detail 11



Westwood Professional Services, Inc.
10000 Highway 100, Suite 100
Rice Lake, WI 53086
Phone: 920-8111

DESIGNED: TE 02/04
DRAWN: DWP
CHECKED: [Signature]
DATE: 11/04



Rice Lake Trails - Partial

DATE: 4/3/95

S.P. 2780(94=392)902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

LIMITED USE PERMIT

In accordance with Minnesota Statutes Sec. 161.434, a Limited Use Permit is granted to the City of Maple Grove, hereinafter referred to as the "Applicant", for the purpose of constructing, maintaining, and operating a non-motorized recreational trail within the State of Minnesota Department of Transportation's, hereinafter referred to as the "State" or the "Minnesota Department of Transportation", right of way as shown in red on Exhibit "A" which is attached and incorporated as a part of this permit. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and operation of the trail will be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans and specifications for such construction shall be approved by the Minnesota Department of Transportation, through the Division Engineer of the Metro Division.
3. No advertising devices in any form or size shall be constructed, placed or permitted to be constructed or placed upon the State's right of way.
4. No commercial activities shall be allowed on State's right of way.
5. All maintenance of the trail shall be provided by the Applicant; this includes the installation and removal of regulatory signs.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the State's right of way.
7. The Applicant will preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation.

S.P. 2780(94=392)902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

8. The Applicant shall construct the trail at the location shown on the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation's Division Engineer of the Metro Division that the construction geometrics and procedures are compatible with the safe and efficient operation of the highway facility.
9. The Applicant shall notify Bill Warden, Roadway Regulations Supervisor, at (612) 582-1443, seven (7) days prior to starting of its operations.
10. The Applicant upon completion of the construction shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and esthetics are perpetuated. The Applicant shall sod all slopes steeper than 4:1. The Applicant shall guarantee the growth of all seed or sod on all disturbed areas for a period of one year commencing on the last day of construction.
11. This permit does not release the Applicant from any liability or obligation imposed by Federal Law, Minnesota Statutes, local ordinances, or other agencies relating thereto and any necessary permits relating thereto shall be obtained by the Applicant.
12. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for any other highway or transportation purpose. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968.
13. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation for any other highway or transportation purpose, by giving the Applicant 60 days written notice of such action. Upon cancellation, any relocation of the water holding ponds will be performed by the Applicant at the sole expense of the Applicant.
14. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the Applicant's operations or its successors and assigns from the Applicant's use of the portion of highway right of way over which this permit is granted.

S.P. 2780(94=392)902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

15. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from any and all public use of the trail.
16. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damage due to applicant's construction or maintenance of the trail or due to applicant's use of the portion of the highway right-of-way over which this permit is granted.
17. The Applicant shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Applicant shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Applicant.
18. The Applicant (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmen' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State from all such liens and claims.

S.P. 2780 (94=392) 902
City of Maple Grove
Southwest Rice Lake Trail
T.H. 94 at Weaver Lake Road

RECOMMENDED FOR APPROVAL
BY: [Signature]
Metro Division Engineer
Date 1/2/97

APPROVED BY:

COMMISSIONER OF TRANSPORTATION
DEPARTMENT OF TRANSPORTATION BLDG.
ST. PAUL, MINNESOTA 55155

By: [Signature]
Asst. Director, Office of Right of Way
and Surveys
Date 1-7-97

City of Maple Grove
By: [Signature]
Date 12-27-96

By: [Signature]
Date 12-23-96

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

RESOLUTION NO. 96-195

RESOLUTION REGARDING COOPERATION BETWEEN THE CITY OF MAPLE GROVE AND MnDOT FOR THE PURPOSES OF TRAIL CONSTRUCTION ADJACENT TO I-94 BETWEEN WEAVER LAKE ROAD AND COUNTY ROAD 30.

BE IT RESOLVED, by the City Council of the City of Maple Grove, Minnesota, as follows:

WHEREAS, the City of Maple Grove's Comprehensive Park System and Recreation Plan identifies a trail loop around Rice Lake; and

WHEREAS, the City of Maple Grove wants to construct the trail on property presently owned by MnDOT; and

WHEREAS, on October 17, 1994, the City Council allocated funding for the construction of Rice Lake Trails west, which includes the proposed trail loop; and

WHEREAS, Westwood Professional Services has prepared an application for a Limited Use Permit to be submitted to MnDOT outlining the construction methods and the specific design of the project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove, Minnesota as follows:

1. That it is the City of Maple Grove's intention to construct a trail loop around Rice Lake as part of the Rice Lake Trails west project for the City, with some portion of the trail being on property owned by MnDOT.
2. That City staff are hereby directed to work with MnDOT to obtain a Limited Use Permit to allow the City of Maple Grove to utilize MnDOT property for the aforesaid trail purpose.

Motion to approve the foregoing Resolution was made by City Councilmember Ramstad, seconded by City Councilmember Sargent, and upon vote being duly taken thereon, the following voted in favor thereof: Mayor Burlingame, and Councilmembers Burtness, Koski, Ramstad and Sargent.

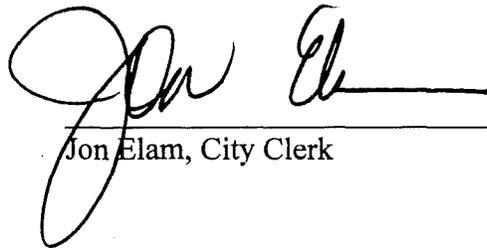
and the following voted against the same: none

and the following were absent: none

whereupon said resolution was declared duly passed and adopted the 16th day of September, 1996.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 96-195 is a true and correct copy of the Resolution as adopted by the City Council on the 15th day of July, 1996.

A handwritten signature in black ink, appearing to read "Jon Elam", is written over a horizontal line. The signature is stylized and cursive.

Jon Elam, City Clerk

EXHIBIT A

T. LOT NO. 4

TRAIL ON MN/DOT R/W

GOV'T. LOT NO. 7

GOV'T. LOT NO. 5

GOV'T. LOT NO. 6

T.H. 94

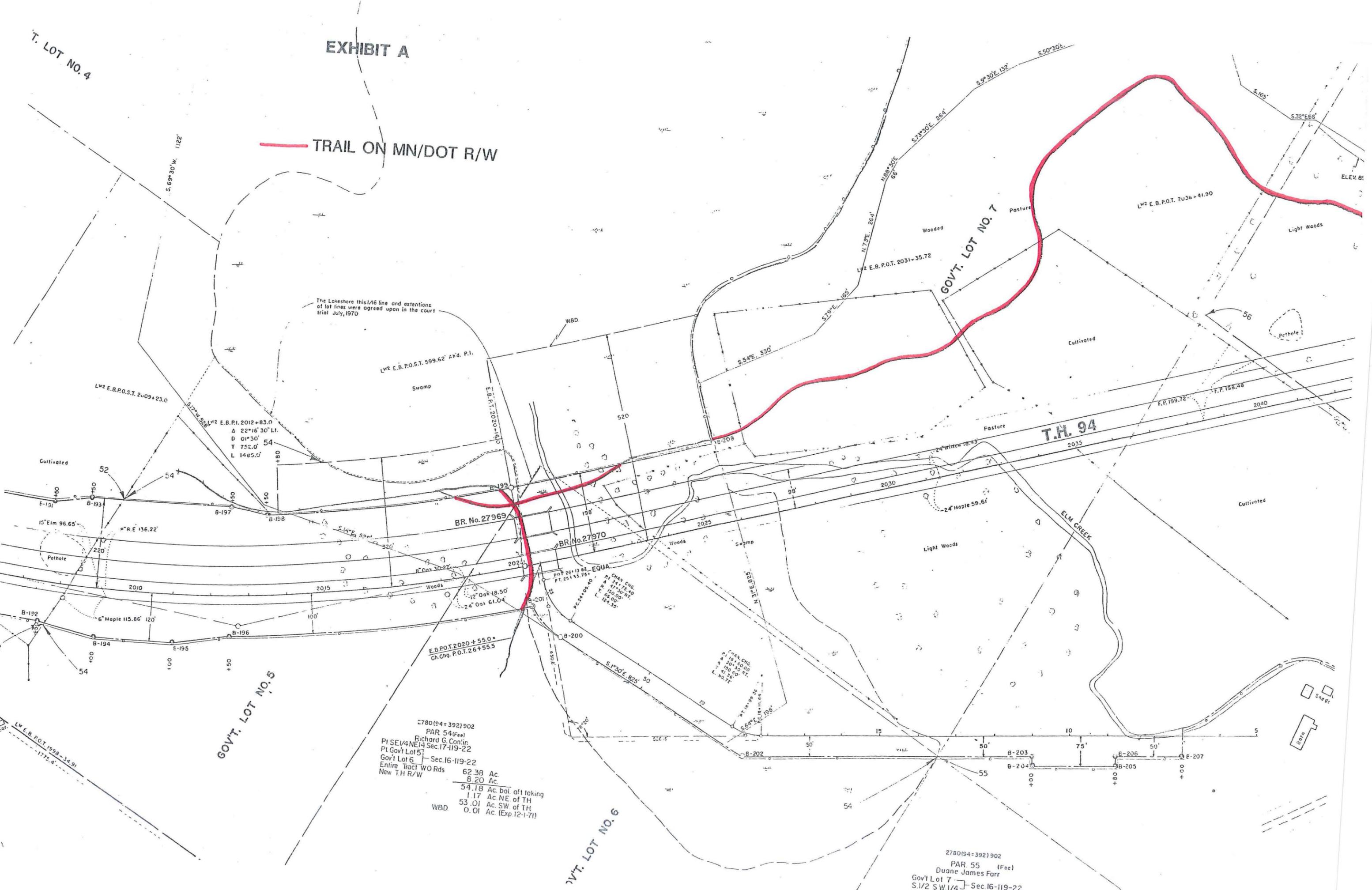
ELM CREEK

The Lakeshore this 1/4 line and extensions of lot lines were agreed upon in the court trial July, 1970

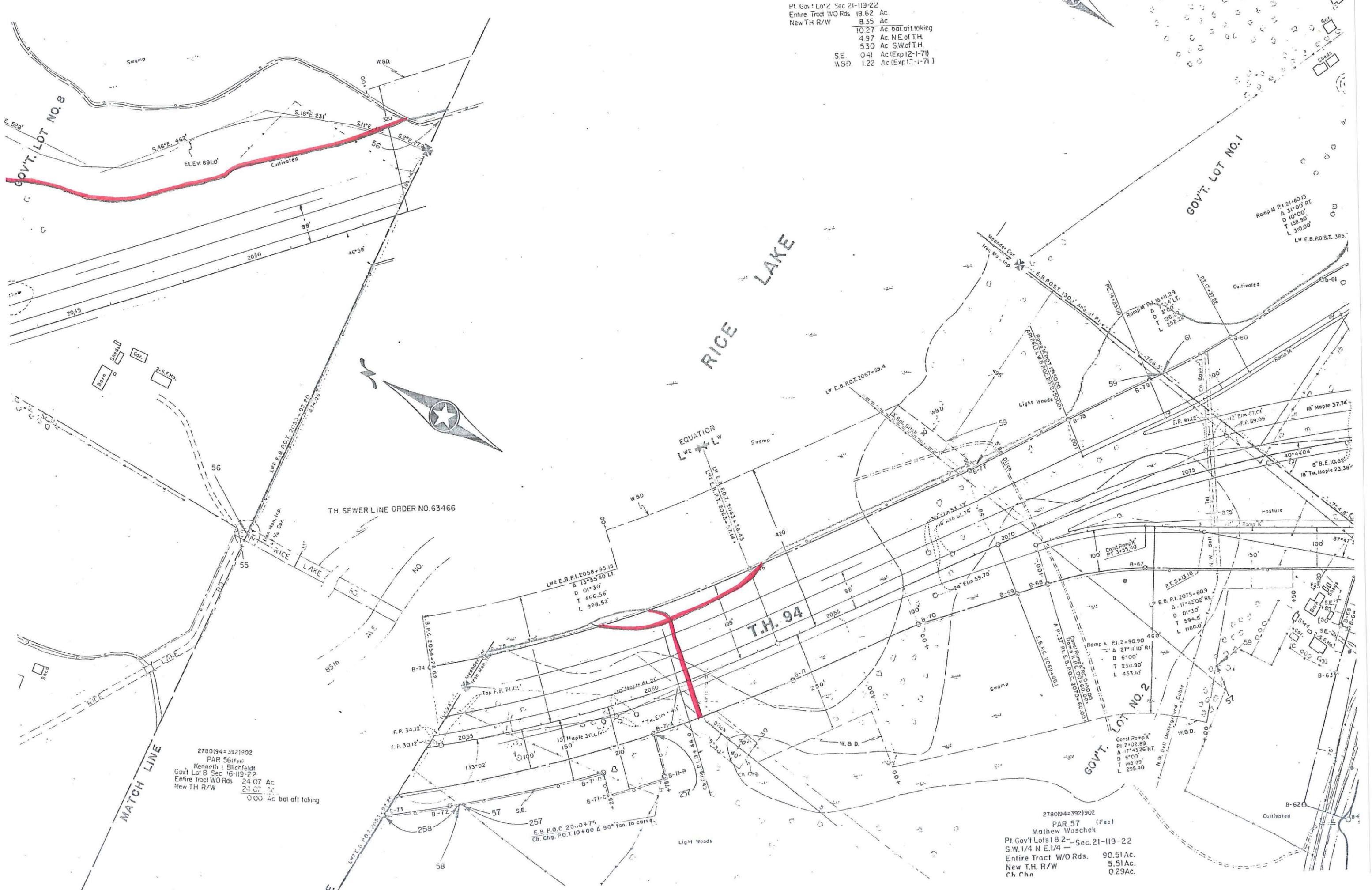
2780(94-392)902
 PAR 54(Fee)
 Richard G. Conlin
 P1 SE 1/4 NE 1/4 Sec. 17-119-22
 Gov't Lot 5
 Entire Tract WO Rds
 New T.H. R/W

62.38	Ac.
8.20	Ac.
54.18	Ac. bal. of taking
1.17	Ac. NE of TH
53.01	Ac. SW of TH
0.01	Ac. (Exp. 12-1-71)

2780(94-392)902
 PAR 55 (Fee)
 Duane James Farr
 Gov't Lot 7
 S. 1/2 S.W. 1/4 Sec. 16-119-22



Pl. Gov't Lot 2 Sec 21-119-22
 Entire Tract W/O Rds 18.62 Ac.
 New TH R/W 8.35 Ac
 10.27 Ac bal. of taking
 4.97 Ac. NE of T.H.
 5.30 Ac. S.W. of T.H.
 SE 0.41 Ac (Exp 12-1-71)
 W&D 1.22 Ac (Exp 12-1-71)



2780(94=392)902
 PAR 56 (Fee)
 Kenneth I. Blichfeldt
 Gov't Lot 8 Sec 16-119-22
 Entire Tract W/O Rds 24.07 Ac.
 New TH R/W 24.07 Ac.
 0.00 Ac bal. of taking

257
 E.B.P.O.C. 20110+75
 Ch. Chg. P.O. 110+00 Δ 90° tan. to curve

2780(94=392)902
 PAR 57 (Fee)
 Mathew Waschek
 Pl. Gov't Lots 1 & 2 - Sec. 21-119-22
 S.W. 1/4 N.E. 1/4 -
 Entire Tract W/O Rds. 90.51 Ac.
 New T.H. R/W 5.51 Ac.
 Ch. Chg. 0.29 Ac.

TH. SEWER LINE ORDER NO. 63466

T.H. 94

RICE LAKE

GOV'T. LOT NO. 1

GOV'T. LOT NO. 8

GOV'T. LOT NO. 2

EQUATION
 LWZ L W

LWZ E.B.P.I. 2058+95.19
 Δ 13°55'40" LT.
 D 01°30'
 T 466.56'
 L 328.52'

LWZ E.B.P.I. 2075+609
 Δ 17°42'02" RT.
 D 01°30'
 T 594.8'
 L 1106.0'

Ramp A
 PI 2+90.90
 Δ 27°11'10" RT.
 D 6°00'
 T 230.90'
 L 455.10'

Ramp H
 PI 21+80.13
 Δ 31°00' RT.
 D 10°00'
 T 158.50'
 L 310.00'

LW E.B.P.O.S.T. 385'

Ramp M
 PI 16+11.29
 Δ 5°04' LT.
 D 5°04' LT.
 T 126.74'
 L 252.22'

F.P. 81.12
 12" Elm 67.01
 F.P. 89.05

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

Ramp K
 PI 2+02.89
 Δ 17°43'26" RT.
 D 5°00'
 T 145.39'
 L 295.40'

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

Ramp J
 PI 2+02.89
 Δ 17°43'26" RT.
 D 5°00'
 T 145.39'
 L 295.40'

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

Ramp I
 PI 2+02.89
 Δ 17°43'26" RT.
 D 5°00'
 T 145.39'
 L 295.40'

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

Ramp G
 PI 2+02.89
 Δ 17°43'26" RT.
 D 5°00'
 T 145.39'
 L 295.40'

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

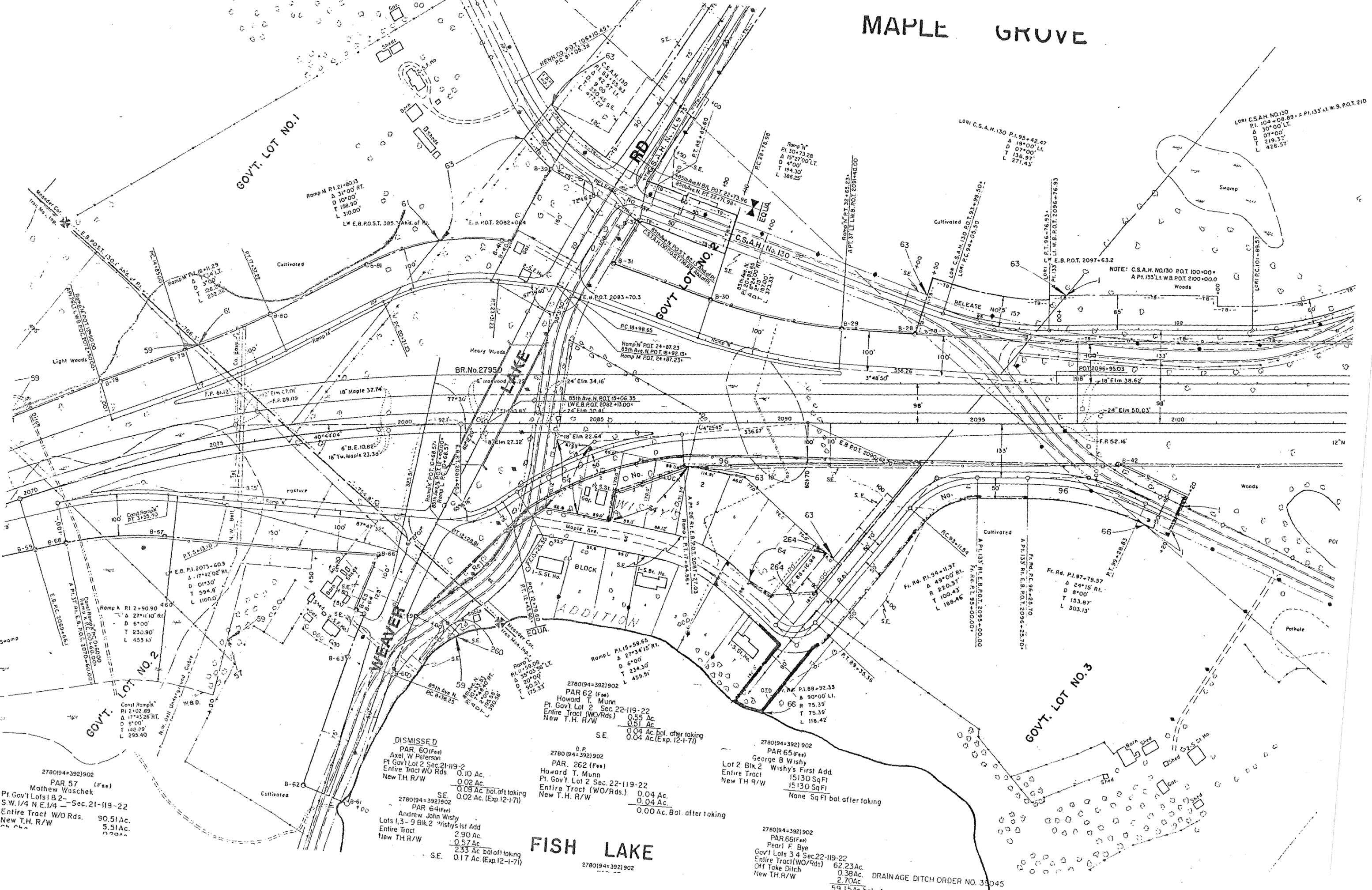
Ramp F
 PI 2+02.89
 Δ 17°43'26" RT.
 D 5°00'
 T 145.39'
 L 295.40'

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

Ramp E
 PI 2+02.89
 Δ 17°43'26" RT.
 D 5°00'
 T 145.39'
 L 295.40'

18" Maple 37.74'
 40°44'04"
 6" B.E. 10.82'
 18" Tr. Maple 23.36'

MAPLE GROVE



GOVT. LOT NO. 1

GOVT. LOT NO. 2

GOVT. LOT NO. 3

FISH LAKE

DISMISSED
PAR. 60 (Fee)
Axel W Peterson
Pl. Gov't Lot 2 Sec. 21-119-22
Entire Tract W/O Rds
New T.H. R/W
0.10 Ac.
0.02 Ac.
0.08 Ac. bal. after taking
0.02 Ac. (Exp. 12-1-71)

P.P.
2780(94=392)902
PAR. 262 (Fee)
Howard T. Munn
Pl. Gov't Lot 2 Sec. 22-119-22
Entire Tract (W/O Rds.)
New T.H. R/W
0.04 Ac.
0.04 Ac.
0.00 Ac. bal. after taking

2780(94=392)902
PAR. 65 (Fee)
George B Wisby
Lot 2 Blk 2 Wisby's First Add.
Entire Tract
New T.H. R/W
15130 Sq Ft
15130 Sq Ft
None Sq Ft bal. after taking

2780(94=392)902
PAR. 66 (Fee)
Pearl F. Bye
Gov't Lots 3 & 4 Sec. 22-119-22
Entire Tract (W/O Rds.)
Off Take Ditch
New T.H. R/W
62.23 Ac.
0.38 Ac.
2.70 Ac.
59.15 Ac. bal. after taking

DRAINAGE DITCH ORDER NO. 35045

2780(94=392)902
PAR. 57 (Fee)
Mathew Waschek
Pl. Gov't Lots 1 & 2
S.W. 1/4 N.E. 1/4 - Sec. 21-119-22
Entire Tract W/O Rds.
New T.H. R/W
90.51 Ac.
5.51 Ac.
96.02 Ac. bal. after taking

Const Ramp
Pl. 2+02.89
A 17°43'26" Rt.
D 5'00"
T 148.39
L 295.40

E.B. Pl. 2073-603
L 17°42'02" Rt.
D 01°30'
T 594.8
L 1166.0'

6" B.E. 10.82'
18" Tw. Maple 23.38'

Ramp M Pl. 21+80.13
A 31°00' Rt.
D 10°00'
T 158.90'
L 310.00'

Ramp N Pl. 30+73.28
A 15°27'00" Lt.
D 4'00"
T 184.30'
L 386.25'

Henk Co. P.O.T. 106+10.451
P.C. 81+05.38

2780(94=392)902
PAR. 64 (Fee)
Andrew John Wisby
Lots 1, 3 - 9 Blk 2 Wisby's 1st Add.
Entire Tract
New T.H. R/W
2.90 Ac.
0.57 Ac.
2.33 Ac. bal. after taking
0.17 Ac. (Exp. 12-1-71)

Ramp L Pl. 15+59.65
A 27°34'15" Rt.
D 6'00"
T 234.30'
L 459.51'

Ramp K Pl. 2+90.90
A 27°11'10" Rt.
D 6'00"
T 230.90'
L 453.10'

Ramp M Pl. 24+87.23
85th Ave. N. P.O.T. 18+92.15
Ramp M P.O.T. 24+87.23

Ramp N Pl. 32+63.23
A.P.T. 37 Lt. L.W.B. P.O.T. 2091+40.00

Ramp N Pl. 30+73.28
A 15°27'00" Lt.
D 4'00"
T 184.30'
L 386.25'

Lori C.S.A.H. No. 130
Pl. 104+08.89 - A Pl. 133' Lt. W.B. P.O.T. 2100

Lori C.S.A.H. No. 130
Pl. 104+08.89 - A Pl. 133' Lt. W.B. P.O.T. 2100

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

Lori C.S.A.H. No. 130
Pl. 195+42.47
A 19°00' Lt.
D 07'00"
T 138.97'
L 271.43'

S.P. 2780(94=392)902
City of Maple Grove
C.S.A.H. No. 30 Trail
T.H. 94 at C.S.A.H. No. 30

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

LIMITED USE PERMIT

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SPECIAL PROVISIONS

1. The construction, maintenance, and operation of the trail will be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans and specifications for such construction shall be approved by the Minnesota Department of Transportation, through the Division Engineer of the Metro Division.
3. No advertising devices in any form or size shall be constructed, placed or permitted to be constructed or placed upon the State's right of way.
4. No commercial activities shall be allowed on State's right of way.
5. All maintenance of the trail shall be provided by the Applicant; this includes the installation and removal of regulatory signs.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the State's right of way.
7. The Applicant will preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation.

S.P. 2780(94=392)902
City of Maple Grove
C.S.A.H. No. 30 Trail
T.H. 94 at C.S.A.H. No. 30

8. The Applicant shall construct the trail at the location shown on the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation's Division Engineer of the Metro Division that the construction geometrics and procedures are compatible with the safe and efficient operation of the highway facility.
9. The Applicant shall notify Bill Warden, Roadway Regulations Supervisor, at (612) 582-1443, seven (7) days prior to starting of its operations.
10. The Applicant upon completion of the construction shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and esthetics are perpetuated. The Applicant shall sod all slopes steeper than 4:1. The Applicant shall guarantee the growth of all seed or sod on all disturbed areas for a period of one year commencing on the last day of construction.
11. This permit does not release the Applicant from any liability or obligation imposed by Federal Law, Minnesota Statutes, local ordinances, or other agencies relating thereto and any necessary permits relating thereto shall be obtained by the Applicant.
12. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for any other highway or transportation purpose. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968.
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14. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the Applicant's operations or its successors and assigns from the Applicant's use of the portion of highway right of way over which this permit is granted.

S.P. 2780(94=392)902
City of Maple Grove
C.S.A.H. No. 30 Trail
T.H. 94 at C.S.A.H. No. 30

15. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from any and all public use of the trail.
16. The Applicant will hold harmless and indemnify the State, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damage due to applicant's construction or maintenance of the trail or due to applicant's use of the portion of the highway right-of-way over which this permit is granted.
17. The Applicant shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Applicant shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Applicant.
18. The Applicant (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmen' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State from all such liens and claims.
19. THE TERMS OF THIS PERMIT SHALL BE TEN YEARS FROM THE DATE OF THE EXECUTION OF THIS PERMIT.

S.P. 2780(94=392)902
City of Maple Grove
C.S.A.H. No. 30 Trail
T.H. 94 at C.S.A.H. No. 30

RECOMMENDED FOR APPROVAL

By: *[Signature]*
Metro Division Engineer

Date 1/21/97

APPROVED BY:

COMMISSIONER OF TRANSPORTATION
DEPARTMENT OF TRANSPORTATION BLDG.
ST. PAUL, MINNESOTA 55155

By: *[Signature]*
Asst. Director, Office of Right of Way
and Surveys

Date 1-24-97

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

City of Maple Grove

By: *[Signature]*

Date 1-13-97

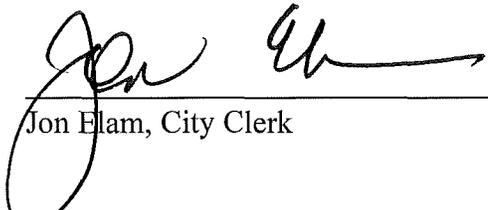
By: *[Signature]*

Date 1-7-97

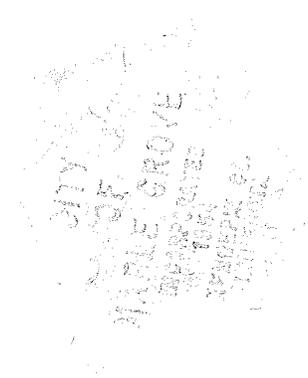
STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and City Clerk of the City of Maple Grove, Hennepin County, Minnesota, hereby certify that I have carefully compared the attached Resolution with the original thereof on file and of record in my office, and the same is a full, true and correct copy of City Council Resolution No. 96-255 as adopted on the 16th day of December, 1996.

WITNESS, my hand and seal this 31st day of December, 1996.



Jon Elam, City Clerk



RESOLUTION NO. 96-255

RESOLUTION APPROVING THE CONSTRUCTION OF A TRAIL WITHIN THE CSAH 30/I-94 INTERCHANGE AREA

WHEREAS, the City of Maple Grove constructed a trailway along Dunkirk Lane, under City Project No. 93-01, from 89th Avenue to the west side of the CSAH 30/I-94 interchange; and

WHEREAS, an existing trailway runs parallel to CSAH 30 east of the CSAH 30/I-94 interchange; and

WHEREAS, it is desirable and in the best interests of the public to connect the aforesaid trailways by constructing a trail within the interchange area right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Maple Grove, Minnesota:

1. That the City Council approves the installation of a trail within the I-94 interchange area pursuant to MN/DOT permit No. MG-US-94-399 and hereby requests the issuance of a limited use permit to the City.

Adopted by the City Council on this 16th day of December, 1996.

The motion for the adoption of the foregoing resolution was made by Councilmember Burtness, seconded by Mayor Burlingame, and upon vote being duly taken thereon, the following voted in favor thereof: Mayor Burlingame, Councilmembers Burtness, Koski, Ramstad and Sargent

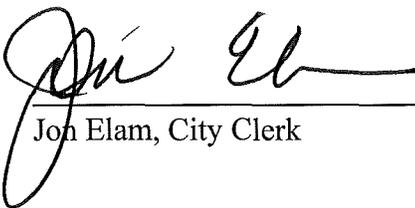
and the following voted against the same: none

and the following were absent: none

whereupon said resolution was declared duly passed and adopted.

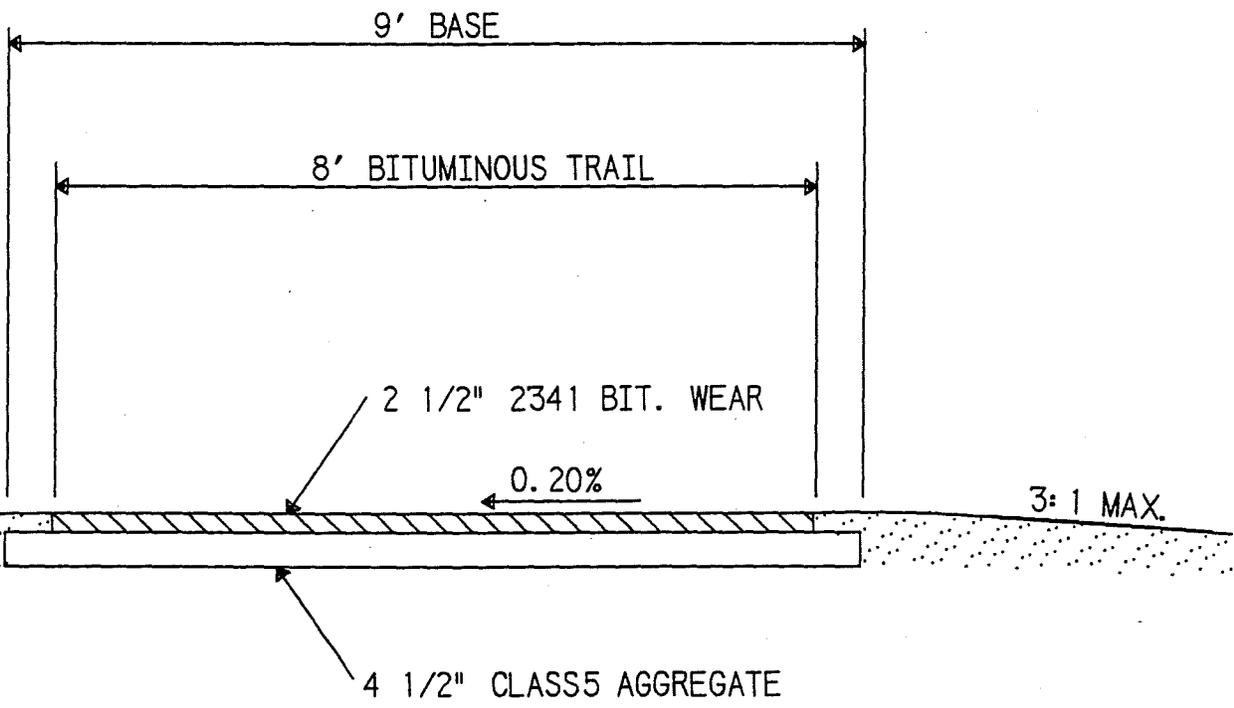
STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

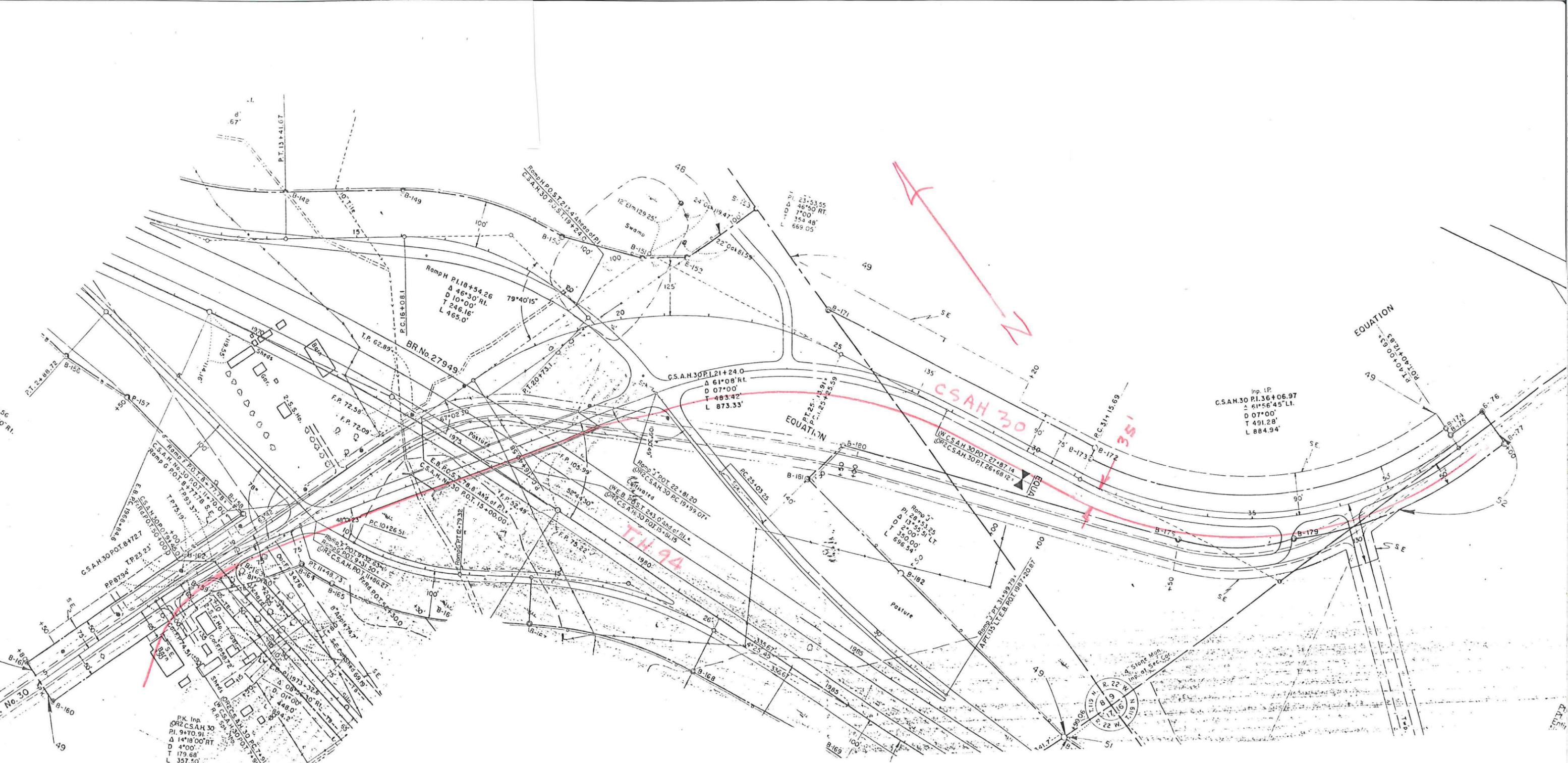
I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 96-255 is a true and correct copy of the Resolution as adopted by the City Council on the 16th day of December, 1996.



Jon Elam, City Clerk







2780194-3921902
 PAR 49 (Fred)
 Fred H. Embage
 S1/2 SE1/4 Sec. 8-119-22
 Entire Tract WO Rds.
 New TH.R/W

108.27 Ac
 27.73 Ac
 80.54 Ac
 31.85 Ac
 48.69 Ac
 2.49 Ac
 8.29 Ac

SE
 W&D

108.27 Ac
 27.73 Ac
 80.54 Ac
 31.85 Ac
 48.69 Ac
 2.49 Ac
 8.29 Ac

SE
 W&D

EXHIBIT "A"

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

**LIMITED USE PERMIT FOR
NONMOTORIZED RECREATIONAL TRAIL**

C.S. 2780 (94=392)
City of Rogers
County of Hennepin
LUP # 2780-0128

In accordance with Minnesota Statutes Section 161.434 and 23 C.F.R. 652 also published as the Federal-Aid Policy Guide, a Limited Use Permit is hereby granted to City of Rogers, Permittee. This permit is for the purpose of constructing, maintaining and operating a nonmotorized recreational trail, (hereinafter called trail), within the right of way of I-94 at CSAH 81 as shown in red on Exhibit "A", which is attached hereto and incorporated herein by reference. This permit is executed by the Permittee pursuant to the attached resolution. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and supervision of the trail shall be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans for such construction shall be approved in writing by the Minnesota Department of Transportation, through the District Engineer.
3. No permanent structure(s) or advertising device(s) in any manner, form or size shall be constructed, placed or permitted to be constructed or placed upon the State of Minnesota right of way.
4. No commercial activity or activities shall be allowed to operate upon said State of Minnesota right of way.
5. Any and all maintenance of the trail, and all facilities a part thereof, shall be provided by the Permittee; this includes, but is not limited to, the plowing and removal of snow, and the installation and removal of regulatory signs.

6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy said right of way.
7. The Permittee shall preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.
8. Any crossings of the trail over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.
9. The Permittee shall construct the trail at the location shown in the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation District Engineer that the construction geometrics and procedures result in a trail that is compatible with the safe and efficient operation of the highway facility.
10. Approval from Minnesota Department of Transportation District Engineer shall be required for any changes from the approved plan.
11. Upon completion of the construction of the trail, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.
12. This permit does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.
13. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Bikeway or Pedestrian way which would require replacement pursuant to Minnesota Statutes Section 160.264.
14. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation, with or without cause, by giving the Permittee 90 days written notice of such intent. Upon said notice of cancellation the trail shall be removed within 90 days by the Permittee. Upon cancellation of said permit, or any portion thereof, the Permittee will be required to return and restore the area to a condition satisfactory to the Minnesota Department of Transportation District Engineer. The removal of the trail and the return and restoration of the area shall be at no cost to the Minnesota Department of Transportation and at the sole expense of the Permittee.

15. The Permittee, for itself, its successors, and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, which provides in part that no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of any trail.
16. The State of Minnesota, through its Commissioner of Transportation, shall retain the right to limit and/or restrict the parking of vehicles and assemblage of trail users on the highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and trail users.
17. No assignment of this permit is allowed.
18. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
19. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns, from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the operations of the trail or from the use of the portion of highway right of way over which this permit is granted.
20. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns from claims arising or resulting from the temporary or permanent termination of trail user rights on any portion of highway right of way over which this permit is granted.
21. The Permittee will hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages.
22. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State of Minnesota from all such liens and claims.

MINNESOTA DEPARTMENT
OF TRANSPORTATION

RECOMMENDED FOR APPROVAL

CITY OF ROGERS

By 

Its City Administrator

And 

Its Mayor

By: 
District Engineer

Date 3/26/10

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: 
Director, Office of Land Management

Date 5/14/10

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

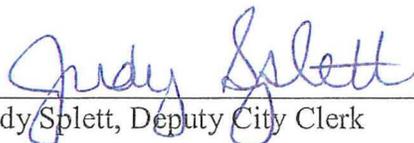
CERTIFICATION

STATE OF MINNESOTA

COUNTY OF HENNEPIN

CITY OF ROGERS

The undersigned duly qualified and acting Deputy City Clerk of the City of Rogers hereby certifies that the attached hereto is a true and correct copy of **Resolution No. 2009-39, A Resolution Authorizing Execution Of A Limited Use Permit With The State Of Minnesota Department Of Transportation For A Pedestrian Trail In The Right Of Way Of Interstate Highway 94 At County Rd. 81**, adopted by the City Council of the City of Rogers at an authorized meeting held on October 13, 2009, as shown by the minutes of the meeting and filed in the office of the City Clerk, City of Rogers.



Judy Splett, Deputy City Clerk

In full force and effect dated this 13th day of October, 2009.

RESOLUTION NO. 2009 - 39

A RESOLUTION AUTHORIZING EXECUTION OF A LIMITED USE PERMIT WITH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION FOR A PEDESTRIAN TRAIL IN THE RIGHT OF WAY OF INTERSTATE HIGHWAY 94 AT COUNTY RD. 81

WHEREAS, the City of Rogers is a political subdivision, organized and existing under the laws of the state of Minnesota; and

WHEREAS, the city Council of the City of Rogers has approved a plan to construct pedestrian trail in the right-of-way of Interstate 94 to promote the orderly movement along and safe crossing of the highway; and

WHEREAS, the state of Minnesota, Department of Transportation requires a Limited use Permit for the construction and utilization of said pedestrian trail.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rogers, that the Mayor and Asst. City Administrator/City Clerk are authorized to enter into a limited use permit with the State of Minnesota Department of Transportation for the following purposes:

1. To construct, operate and maintain a pedestrian Trail within the right-of-way of interstate highway 94 of the State of Minnesota along County Road 81. The City of Rogers shall construct, operate and maintain said trail in accordance with limited use permit granted by the Minnesota Department of Transportation.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council and the Mayor are authorized to execute the limited use permit and any amendments to the permit.

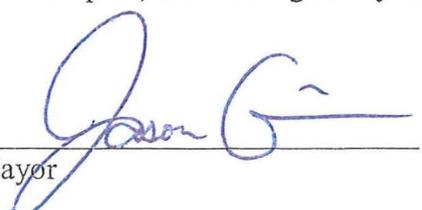
Moved by Councilmember *Bell*, seconded by Councilmember *Burting*

The following voted in favor of said resolution: *Bell, Burting, Grimm*

The following voted against said resolution: *None*

The following abstained: *None*

Whereupon said resolution was declared duly passed and adopted, and was signed by the Mayor, and attested by the Clerk dated this 13th day of October, 2009.



Mayor

ATTEST:



City Clerk



Minnesota Department of Transportation

Transportation Building
395 John Ireland Boulevard
Saint Paul, Minnesota 55155-1899

Mailstop 630

May 4, 2010

Mr. Bill Lohr
Federal Highway Administration
Galtier Plaza, Box 75
380 Jackson Street, Suite 500
St. Paul, MN 55101-2904

Re: Limited Use Permit # 2780-0128
C.S. 2780 (94=392)
I-94 at CSAH 81
Hennepin County

Dear Mr. Lohr,

The Metropolitan District office has submitted for execution a limited use permit to the City of Rogers pursuant to Minnesota Statutes 161.434. Attached is a copy of this limited use permit.

According to the District, this limited use permit will allow the park board to build a nonmotorized recreational trail within the right of way of I-94 at CSAH 81

With your approval this office will continue to process this matter as recommended. If you have any questions, please contact Don Goedken at phone no. 651-366-3441.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. S. Brown', with a long horizontal flourish extending to the right.

Robert S. Brown, Director
Office of Land Management

Enclosures: Limited Use Permit



U.S. Department
of Transportation
**Federal Highway
Administration**

Minnesota Division

May 12, 2010

380 Jackson Street
Galtier Plaza, Suite 500
St. Paul, MN 55101-4802

651.291.6100
Fax 651.291.6000

www.fhwa.dot.gov/mndiv

Mr. Robert Brown
Director, Office of Land Management
Minnesota Department of Transportation
MS 630, Transportation Building
St. Paul, Minnesota 55155



Re: Limited Use Permit # 2780-0128
C.S. 2780 (94=392)
Interstate 94 and CSAH 81
Hennepin County, Minnesota

Dear Mr. Brown:

Your letter dated May 4, 2010, requested our approval for a limited use permit to be issued to the City of Rogers to allow the park board to construct, maintain, and operate a non-motorized recreational trail within the right of way of Interstate 94 and County State Aid Highway 81.

Approval of the requested limited use permit between the Minnesota Department of Transportation and the City of Rogers is hereby given in accordance with Title 23 of the Code of Federal Regulations.

Sincerely yours,

William R. Lohr, P.E.
Right of Way Program Manager



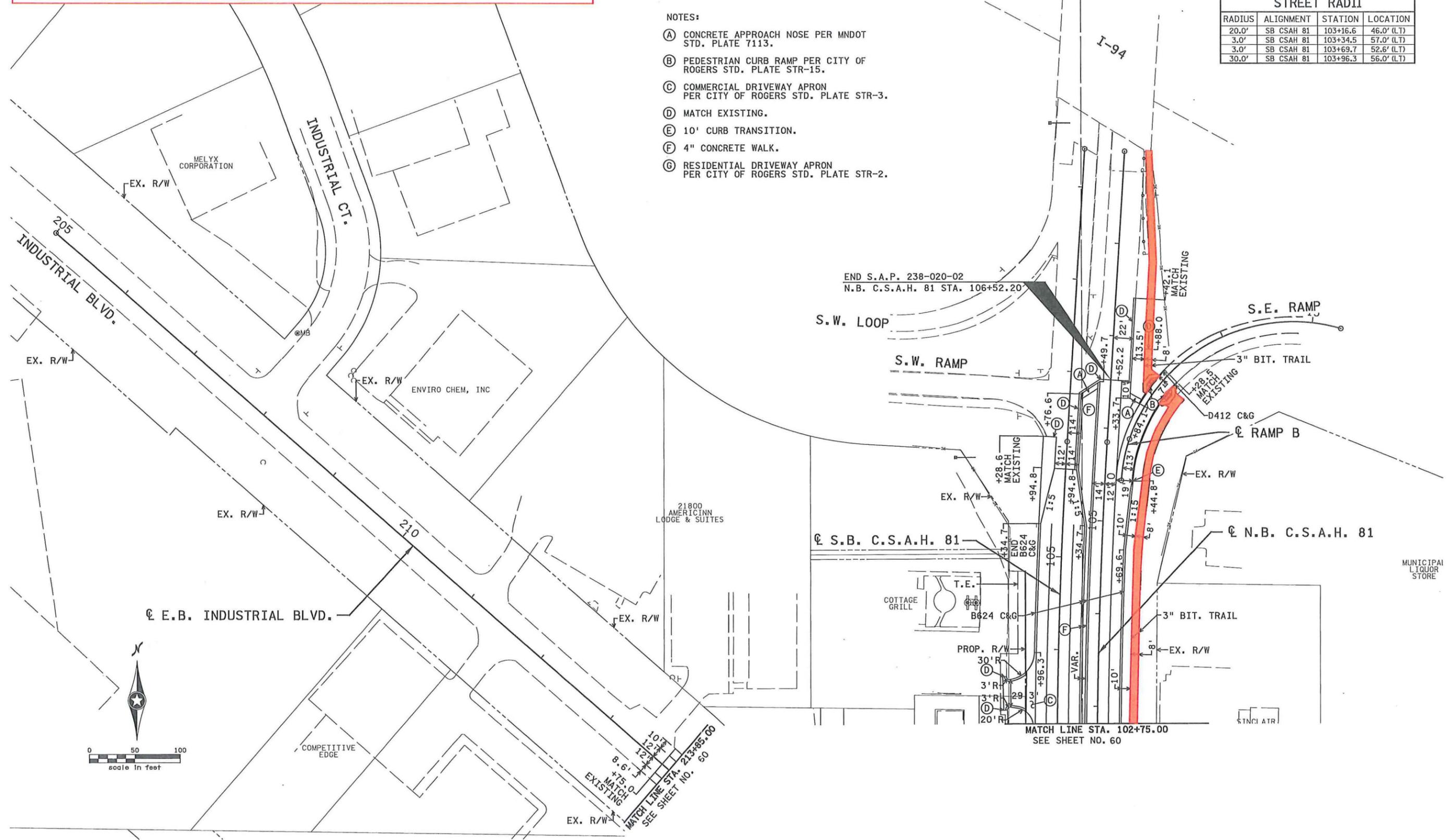
WRL/jer

cc: 2 Mn/DOT
1 RF
DMS – Limited Use Permit I94 and CSAH 81

EXHIBIT A REALMS # 2780-0128 (1 of 2)

- NOTES:
- (A) CONCRETE APPROACH NOSE PER MNDOT STD. PLATE 7113.
 - (B) PEDESTRIAN CURB RAMP PER CITY OF ROGERS STD. PLATE STR-15.
 - (C) COMMERCIAL DRIVEWAY APRON PER CITY OF ROGERS STD. PLATE STR-3.
 - (D) MATCH EXISTING.
 - (E) 10' CURB TRANSITION.
 - (F) 4" CONCRETE WALK.
 - (G) RESIDENTIAL DRIVEWAY APRON PER CITY OF ROGERS STD. PLATE STR-2.

STREET RADII			
RADIUS	ALIGNMENT	STATION	LOCATION
20.0'	SB CSAH 81	103+16.6	46.0' (LT)
3.0'	SB CSAH 81	103+34.5	57.0' (LT)
3.0'	SB CSAH 81	103+69.7	52.6' (LT)
30.0'	SB CSAH 81	103+96.3	56.0' (LT)



8:14:31 AM
 1/25/2010
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NO	DATE	BY	CHKD	APPR	REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Print Name: CRAIG J. HASS

Date: _____ License # 45039

STATE AID PROJECT NO. 238-020-02

STATE PROJECT NO. X

COUNTY PROJECT NO. X

CITY PROJECT NO. X

DRAWN BY S. MARTINS

DESIGNED BY Z. KARTAK

CHECKED BY C. HASS

COMM. NO. 0076094



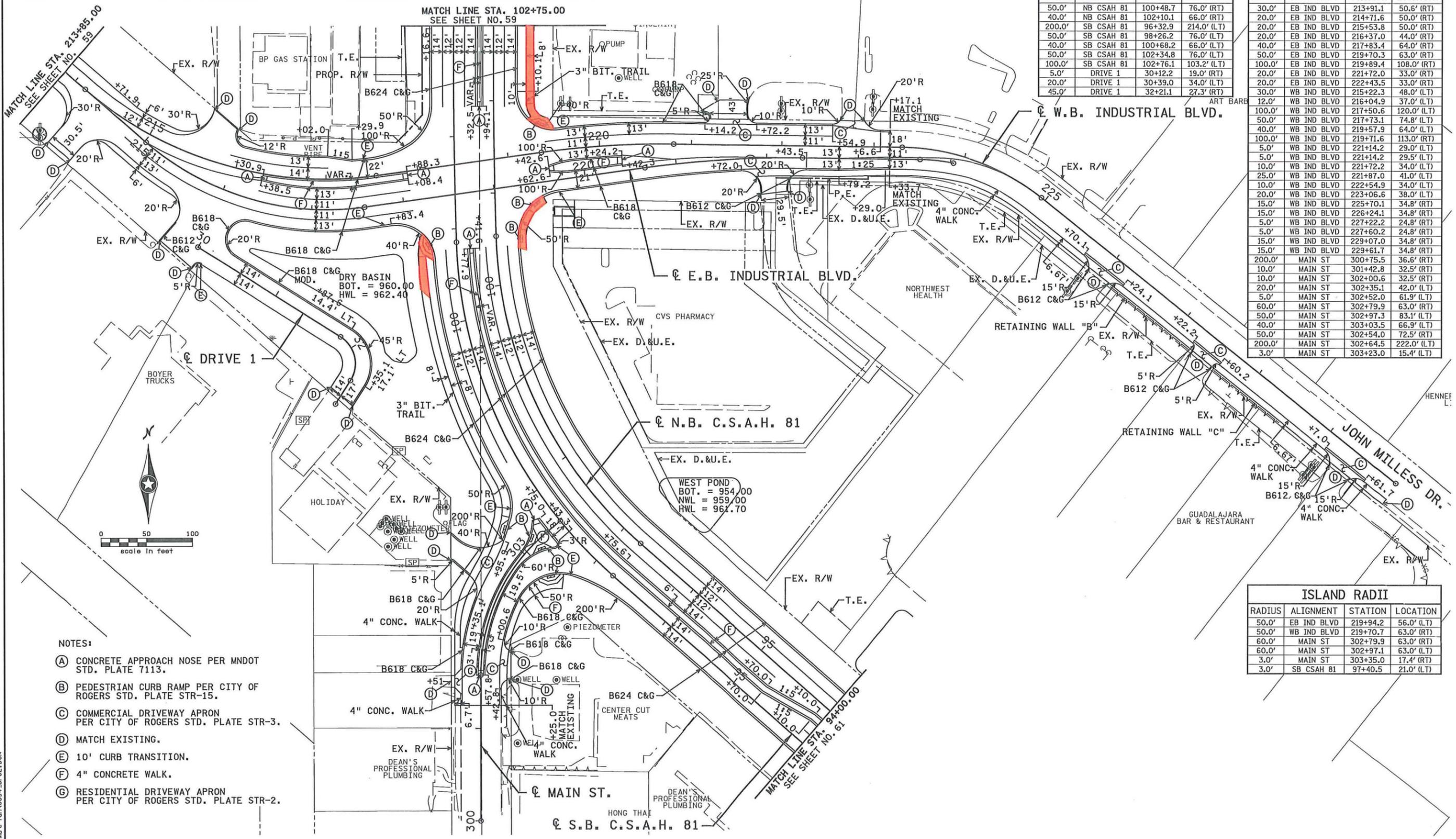
CITY OF ROGERS

CONSTRUCTION PLAN

C.S.A.H. 81

SHEET 59 OF 160

EXHIBIT A REALMS # 2780-0128 (2 of 2)

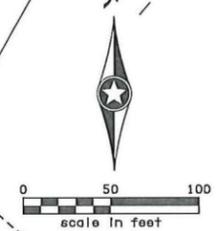


STREET RADII			
RADIUS	ALIGNMENT	STATION	LOCATION
50.0'	NB CSAH 81	100+48.7	76.0' (RT)
40.0'	NB CSAH 81	102+10.1	66.0' (RT)
200.0'	SB CSAH 81	96+32.9	214.0' (LT)
50.0'	SB CSAH 81	98+26.2	76.0' (LT)
40.0'	SB CSAH 81	100+68.2	66.0' (LT)
50.0'	SB CSAH 81	102+34.8	76.0' (LT)
100.0'	SB CSAH 81	102+76.1	103.2' (LT)
5.0'	DRIVE 1	30+12.2	19.0' (RT)
20.0'	DRIVE 1	30+39.0	34.0' (LT)
45.0'	DRIVE 1	32+21.1	27.3' (RT)

STREET RADII			
RADIUS	ALIGNMENT	STATION	LOCATION
30.0'	EB IND BLVD	213+91.1	50.8' (RT)
20.0'	EB IND BLVD	214+71.6	50.0' (RT)
20.0'	EB IND BLVD	215+53.8	50.0' (RT)
20.0'	EB IND BLVD	216+37.0	44.0' (RT)
40.0'	EB IND BLVD	217+83.4	64.0' (RT)
50.0'	EB IND BLVD	219+70.3	63.0' (RT)
100.0'	EB IND BLVD	219+89.4	108.0' (RT)
20.0'	EB IND BLVD	221+72.0	33.0' (RT)
20.0'	EB IND BLVD	222+43.5	33.0' (RT)
30.0'	WB IND BLVD	215+22.3	48.0' (LT)
12.0'	WB IND BLVD	216+04.9	37.0' (LT)
100.0'	WB IND BLVD	217+50.6	120.0' (LT)
50.0'	WB IND BLVD	217+73.1	74.8' (LT)
40.0'	WB IND BLVD	219+57.9	64.0' (LT)
100.0'	WB IND BLVD	219+71.6	113.0' (RT)
5.0'	WB IND BLVD	221+14.2	29.0' (LT)
5.0'	WB IND BLVD	221+14.2	29.5' (LT)
10.0'	WB IND BLVD	221+72.2	34.0' (LT)
25.0'	WB IND BLVD	221+87.0	41.0' (LT)
10.0'	WB IND BLVD	222+54.9	34.0' (LT)
20.0'	WB IND BLVD	223+06.6	38.0' (LT)
15.0'	WB IND BLVD	225+70.1	34.8' (RT)
15.0'	WB IND BLVD	226+24.1	34.8' (RT)
5.0'	WB IND BLVD	227+22.2	24.8' (RT)
5.0'	WB IND BLVD	227+60.2	24.8' (RT)
15.0'	WB IND BLVD	229+07.0	34.8' (RT)
15.0'	WB IND BLVD	229+61.7	34.8' (RT)
200.0'	MAIN ST	300+75.5	36.6' (RT)
10.0'	MAIN ST	301+42.8	32.5' (RT)
10.0'	MAIN ST	302+00.6	32.5' (RT)
20.0'	MAIN ST	302+35.1	42.0' (LT)
5.0'	MAIN ST	302+52.0	61.9' (LT)
60.0'	MAIN ST	302+79.9	63.0' (RT)
50.0'	MAIN ST	302+97.3	83.1' (LT)
40.0'	MAIN ST	303+03.5	66.9' (LT)
50.0'	MAIN ST	302+54.0	72.5' (RT)
200.0'	MAIN ST	302+64.5	222.0' (LT)
3.0'	MAIN ST	303+23.0	15.4' (LT)

ISLAND RADII			
RADIUS	ALIGNMENT	STATION	LOCATION
50.0'	EB IND BLVD	219+94.2	56.0' (LT)
50.0'	WB IND BLVD	219+70.7	63.0' (RT)
60.0'	MAIN ST	302+79.9	63.0' (RT)
60.0'	MAIN ST	302+97.1	63.0' (LT)
3.0'	MAIN ST	303+35.0	17.4' (RT)
3.0'	SB CSAH 81	97+40.5	21.0' (LT)

- NOTES:
- (A) CONCRETE APPROACH NOSE PER MNDOT STD. PLATE 7113.
 - (B) PEDESTRIAN CURB RAMP PER CITY OF ROGERS STD. PLATE STR-15.
 - (C) COMMERCIAL DRIVEWAY APRON PER CITY OF ROGERS STD. PLATE STR-3.
 - (D) MATCH EXISTING.
 - (E) 10' CURB TRANSITION.
 - (F) 4" CONCRETE WALK.
 - (G) RESIDENTIAL DRIVEWAY APRON PER CITY OF ROGERS STD. PLATE STR-2.



8/14/2010 11:25:20 AM
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NO	DATE	BY	CHKD	APPR	REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Print Name: CRAIG J. HASS
 Date: _____ License #: 45039

STATE AID PROJECT NO. 238-020-02
 STATE PROJECT NO. X
 COUNTY PROJECT NO. X
 CITY PROJECT NO. X

DRAWN BY S. MARTINS
 DESIGNED BY Z. KARTAK
 CHECKED BY C. HASS
 COMM. NO. 0076094



CITY OF ROGERS
 CONSTRUCTION PLAN
 C.S.A.H. 81

SHEET 60 OF 160

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

**LIMITED USE PERMIT FOR
NONMOTORIZED RECREATIONAL TRAIL**

C.S. 2780 (94=392)
County of Hennepin
City of Rogers
LUP # 2780-0129

In accordance with Minnesota Statutes Section 161.434 and 23 C.F.R. 652 also published as the Federal-Aid Policy Guide, a Limited Use Permit is hereby granted to City of Rogers, Permittee. This permit is for the purpose of constructing, maintaining and operating a nonmotorized recreational trail, (hereinafter called trail), within the right of way of Trunk Highway No(s). 94 and 101 as shown in red on Exhibit "A", which is attached hereto and incorporated herein by reference. This permit is executed by the Permittee pursuant to the attached resolution. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and supervision of the trail shall be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans for such construction shall be approved in writing by the Minnesota Department of Transportation, through the District Engineer.
3. No permanent structure(s) or advertising device(s) in any manner, form or size shall be constructed, placed or permitted to be constructed or placed upon the State of Minnesota right of way.
4. No commercial activity or activities shall be allowed to operate upon said State of Minnesota right of way.
5. Any and all maintenance of the trail, and all facilities a part thereof, shall be provided by the Permittee; this includes, but is not limited to, the plowing and removal of snow, and the installation and removal of regulatory signs.

6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy said right of way.
7. The Permittee shall preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.
8. Any crossings of the trail over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.
9. The Permittee shall construct the trail at the location shown in the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation District Engineer that the construction geometrics and procedures result in a trail that is compatible with the safe and efficient operation of the highway facility.
10. Approval from Minnesota Department of Transportation District Engineer shall be required for any changes from the approved plan.
11. Upon completion of the construction of the trail, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.
12. This permit does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.
13. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Bikeway or Pedestrian way which would require replacement pursuant to Minnesota Statutes Section 160.264.
14. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation, with or without cause, by giving the Permittee 90 days written notice of such intent. Upon said notice of cancellation the trail shall be removed within 90 days by the Permittee. Upon cancellation of said permit, or any portion thereof, the Permittee will be required to return and restore the area to a condition satisfactory to the Minnesota Department of Transportation District Engineer. The removal of the trail and the return and restoration of the area shall be at no cost to the Minnesota Department of Transportation and at the sole expense of the Permittee.

15. The Permittee, for itself, its successors, and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, which provides in part that no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of any trail.
16. The State of Minnesota, through its Commissioner of Transportation, shall retain the right to limit and/or restrict the parking of vehicles and assemblage of trail users on the highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and trail users.
17. No assignment of this permit is allowed.
18. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
19. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns, from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the operations of the trail or from the use of the portion of highway right of way over which this permit is granted.
20. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns from claims arising or resulting from the temporary or permanent termination of trail user rights on any portion of highway right of way over which this permit is granted.
21. The Permittee will hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages.
22. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmen's liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State of Minnesota from all such liens and claims.

MINNESOTA DEPARTMENT
OF TRANSPORTATION

RECOMMENDED FOR APPROVAL

CITY OF ROGERS

By Sto SAA

Its City Administrator

And Jon G

Its Mayor

By: Scott Z
District Engineer

Date 3/26/10

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: M J Jgnoberg
Director, Office of Land Management

Date 5/14/10

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

RESOLUTION NO. 2010-05

A RESOLUTION AUTHORIZING EXECUTION OF A LIMITED USE PERMIT WITH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION FOR A PEDESTRIAN TRAIL IN THE RIGHT OF WAY OF INTERSTATE HIGHWAY 94 AT STATE HIGHWAY 101.

WHEREAS, the City of Rogers is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Rogers has approved a plan to construct pedestrian trail in the right-of-way of Interstate 94 to promote the orderly movement along and safe crossing of the highway; and

WHEREAS, the State of Minnesota, Department of Transportation requires a Limited Use Permit for the construction and utilization of said pedestrian trail.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rogers, that the Mayor and Asst. City Administrator/City Clerk are authorized to enter into a Limited Use Permit with the State of Minnesota Department of Transportation for the following purposes:

1. To construct, operate and maintain a pedestrian trail within the right-of-way of Interstate Highway 94 of the State of Minnesota along State Highway 101. The City of Rogers shall operate and maintain said trail in accordance with limited use permit granted by the Minnesota Department of Transportation.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council and the Mayor are authorized to execute the limited use permit and any amendments to the permit.

Moved by Councilmember *Bunting*, seconded by Councilmember *Bell*

The following voted in favor of said resolution: *Bell, Bunting, Davis*

The following voted against said resolution: *None*

The following abstained: *None*

Whereupon said resolution was declared duly passed and adopted, and was signed by the Mayor, and attested by the Clerk dated this 9th day of March, 2010.



Mayor

ATTEST:



City Clerk

CERTIFICATION

STATE OF MINNESOTA

COUNTY OF HENNEPIN

CITY OF ROGERS

The undersigned duly qualified and acting Deputy City Clerk of the City of Rogers hereby certifies that the attached hereto is a true and correct copy of **Resolution No. 2010-05, A Resolution Authorizing Execution Of A Limited Use Permit With The State Of Minnesota Department Of Transportation For A Pedestrian Trail In The Right Of Way Of Interstate Highway 94 At State Highway 101**, adopted by the City Council of the City of Rogers at an authorized meeting held on March 9, 2010, as shown by the minutes of the meeting and filed in the office of the City Clerk, City of Rogers.



Judy Splett, Deputy City Clerk

In full force and effect dated this 9th day of March, 2010.



Minnesota Department of Transportation

Transportation Building
395 John Ireland Boulevard
Saint Paul, Minnesota 55155-1899

Mailstop 630

May 4, 2010

Mr. Bill Lohr
Federal Highway Administration
Galtier Plaza, Box 75
380 Jackson Street, Suite 500
St. Paul, MN 55101-2904

Re: Limited Use Permit # 2780-0129
C.S. 2780 (94=392)
I-94 and 101
Hennepin County

Dear Mr. Lohr,

The Metropolitan District office has submitted for execution a limited use permit to the City of Rogers pursuant to Minnesota Statutes 161.434. Attached is a copy of this limited use permit.

According to the District, this limited use permit will allow the park board to build a nonmotorized recreational trail within the right of way of I-94 and 101

With your approval this office will continue to process this matter as recommended. If you have any questions, please contact Don Goedken at phone no. 651-366-3441.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert S. Brown', with a long horizontal flourish extending to the right.

Robert S. Brown, Director
Office of Land Management

Enclosures: Limited Use Permit



U.S. Department
of Transportation
**Federal Highway
Administration**

Minnesota Division

May 12, 2010

380 Jackson Street
Galtier Plaza, Suite 500
St. Paul, MN 55101-4802

651.291.6100
Fax 651.291.6000

www.fhwa.dot.gov/mndiv

Mr. Robert Brown
Director, Office of Land Management
Minnesota Department of Transportation
MS 630, Transportation Building
St. Paul, Minnesota 55155



Re: Limited Use Permit # 2780-0129
C.S. 2780 (94=392)
Interstate 94 and Trunk Highway 101
Hennepin County, Minnesota

Dear Mr. Brown:

Your letter dated May 4, 2010, requested our approval for a limited use permit to be issued to the City of Rogers to allow the park board to construct, maintain, and operate a non-motorized recreational trail within the right of way of Interstate 94 and Trunk Highway 101.

Approval of the requested limited use permit between the Minnesota Department of Transportation and the City of Rogers is hereby given in accordance with Title 23 of the Code of Federal Regulations.

Sincerely yours,

William R. Lohr, P.E.
Right of Way Program Manager



WRL/jer

cc: 2 Mn/DOT
1 RF
DMS – Limited Use Permit I94 and TH101

EXHIBIT A REALMS # 2780-0129 (1 of 2)

LEGEND	
	INPLACE ROADWAY
	NEW CONSTRUCTION
	TRAFFIC FLOW ARROW
	CONSTRUCTION LIMITS
	BITUMINOUS OVERLAY
	PEDESTRIAN RAMP
	PEDESTRIAN CROSS WALK
	SEE GUARD RAIL TAB
	PLATE BEAM GUARD RAIL
	NEW FENCE



PLOTTED/REVISED: 05-NOV-2009 14:01

MATCHLINE SEE SHEET 4 OF 8

MATCHLINE SEE SHEET 6 OF 8

- NOTES:**
- SEE SHEET NUMBER 140 FOR POND LIMITS AND DETAILS.
 - SEE STANDARD PLATE 7036 FOR TRUNCATED DOME DETAILS ONLY. TRUNCATED DOMES SHOULD BE ORIENTED PERPENDICULAR TO DIRECTION OF TRAVEL.
 - ADJUST POST SPACING TO AVOID UTILITIES.
 - FURNISH AND INSTALL GUARD RAIL ALONG TH94 3 1/2' HIGHER THAN CALLED FOR IN STANDARD PLATE 8338 TO ACCOMMODATE 3 1/2' FUTURE OVERLAY (BY OTHERS) ON TH94.
 - THIS AREA IS NOT TO BE USED AS A STAGING AREA. KEEP THIS AREA FREE OF EQUIPMENT AND MATERIAL STORAGE.

DISTRICT #: METRO
 PLOT NAME: d278075_cp05
 FILENAME: d278075_cp05.dgn

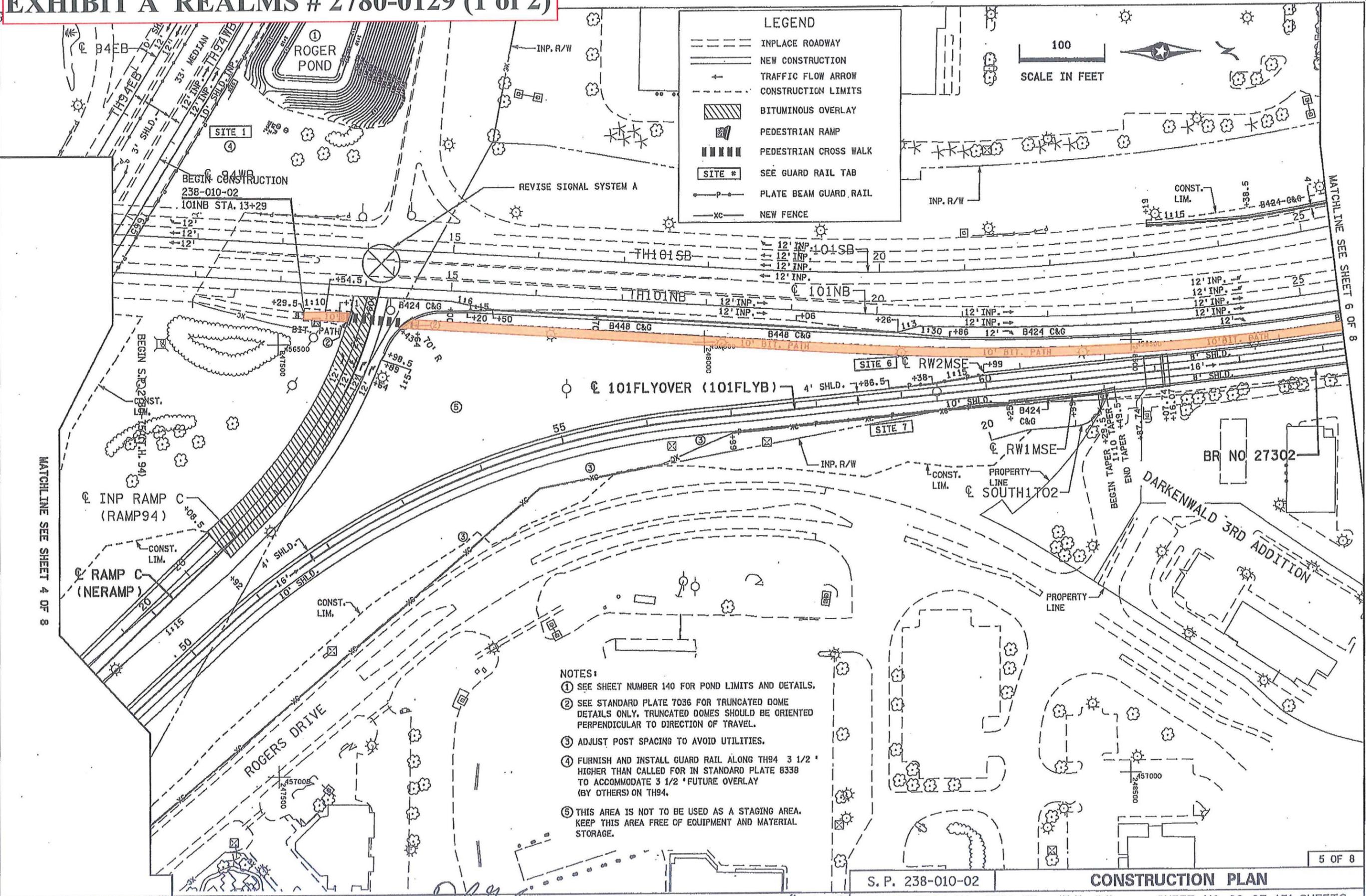


EXHIBIT A REALMS # 2780-0129 (2 of 2)

PLOTTED/REVISED: 09-NOV-2009 14:44

DISTRICT #: METRO
 IPLOT NAME: d278075_cp06_sht100
 FILENAME: d278075_cp06.dgn

MATCHLINE SEE SHEET 7 OF 8

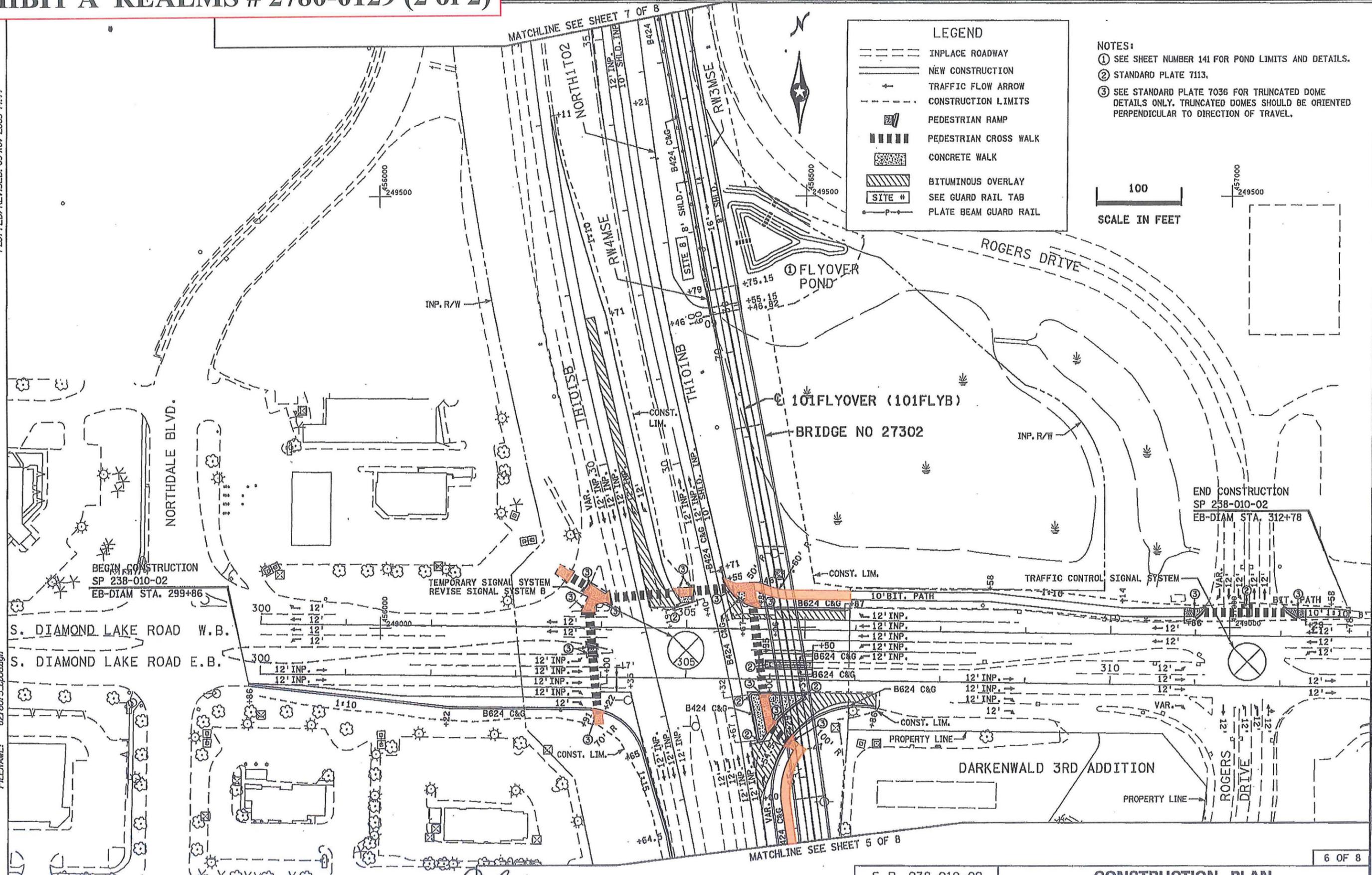
MATCHLINE SEE SHEET 5 OF 8

LEGEND

- INPLACE ROADWAY
- NEW CONSTRUCTION
- TRAFFIC FLOW ARROW
- CONSTRUCTION LIMITS
- PEDESTRIAN RAMP
- PEDESTRIAN CROSS WALK
- CONCRETE WALK
- BITUMINOUS OVERLAY
- SITE #
- SEE GUARD RAIL TAB
- PLATE BEAM GUARD RAIL

- NOTES:**
- ① SEE SHEET NUMBER 141 FOR POND LIMITS AND DETAILS.
 - ② STANDARD PLATE 7113.
 - ③ SEE STANDARD PLATE 7036 FOR TRUNCATED DOME DETAILS ONLY. TRUNCATED DOMES SHOULD BE ORIENTED PERPENDICULAR TO DIRECTION OF TRAVEL.

100
 SCALE IN FEET



BEGIN CONSTRUCTION
 SP 238-010-02
 EB-DIAM STA. 299+86

END CONSTRUCTION
 SP 238-010-02
 EB-DIAM STA. 312+78

S. P. 238-010-02 **CONSTRUCTION PLAN**
 STATE PROJ. NO. 2780-75 (T.H. 94) SHEET NO. 100 OF 151 SHEETS

DRAWN BY: DFC CHECKED BY: DG CERTIFIED BY: _____

Dale Sade
 LICENSED PROFESSIONAL ENGINEER

LIC. NO. 47181 DATE 11/9/09

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

LIMITED USE PERMIT

C.S. 2780 (T.H. 94)
S.P. 2771-37
County of Hennepin
LUP # 2780-0151
Permittee: City of Maple Grove
Terminates: 03/12/2024

In accordance with Minnesota Statutes Section 161.434, the State of Minnesota, through its Commissioner of Transportation, MnDOT, hereby grants a Limited Use Permit to City of Maple Grove, Permittee, to use the area within the right of way of Trunk Highway No. 94 at 105th Ave North as shown in red on Exhibit "A", (the Area) attached hereto and incorporated herein by reference. This permit is executed by the Permittee pursuant to resolution, a certified copy of which is attached hereto and incorporated herein.

Non-Motorized Recreational Trail

The Permittee's use of the Area is limited to only the constructing, maintaining and operating a nonmotorized recreational trail (the Facility) and the use thereof may be further limited by 23 C.F.R. 652 also published as the Federal-Aid Policy Guide.

In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. **TERM.** This permit will terminate at 11:59PM on 03/12/2024. This permit will not be renewed. This permit is also subject to cancellation and termination by the Minnesota Department of Transportation, with or without cause, by giving the Permittee 90 days written notice of such intent. Prior to termination, or within 90 days of the cancellation notice, the Facility shall be removed by the Permittee. The Permittee is required to return and restore the area to a condition satisfactory to the Minnesota Department of Transportation District Engineer. The removal of the Facility and the return and restoration of the Area shall be at no cost to the Minnesota Department of Transportation and at the sole expense of the Permittee. If Permittee desires to continue its use of the Area, the Permittee must reapply to the Minnesota Department of Transportation, at least 90 days prior to termination, for a new limited use permit.

After termination, any continued occupancy or use, under this permit, of the Area is not authorized. However, if such continued occupancy or use occurs, all provisions of this permit

related to Permittee's liability or responsibility remain in effect. Permittee will pay MnDOT all costs and expenses, including attorney's fees, in any successful action brought by State of Minnesota to remove the facility and stop the continued occupancy or use.

2. CONSTRUCTION. The construction, maintenance, and supervision of the Facility shall be at no cost or expense to MnDOT.

Before construction of any kind, the plans for such construction shall be approved in writing by the Minnesota Department of Transportation, through the District Engineer. Approval from Minnesota Department of Transportation District Engineer shall be required for any changes from the approved plan.

The Permittee shall construct the Facility at the location shown in the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation District Engineer that the construction geometrics and procedures result in a Facility that is compatible with the safe and efficient operation of the highway.

Upon completion of the construction of the Facility, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.

The Permittee shall preserve and protect all utilities located on the lands covered by this permit at no expense to MnDOT and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.

Any crossings of the Facility over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.

3. MAINTENANCE. Any and all maintenance of the Facility shall be provided by the Permittee at its sole cost and expense, including, but not limited to, plowing and removal of snow and installation and removal of regulatory signs. No signs shall be placed on any MnDOT or other governmental agency sign post within the Area. MnDOT will not mark obstacles for users on trunk highway right of way.
4. USE. Other than as identified and approved by MnDOT, no permanent structures or no advertising devices in any manner, form or size shall be allowed on the Area. No commercial activities shall be allowed to operate upon the Area.

Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge Facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Bikeway or Pedestrian

way which would require replacement pursuant to Minnesota Statutes Section 160.264. No rights to relocation benefits are established by this permit.

This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the Area.

5. **APPLICABLE LAWS.** This permit does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.
6. **CIVIL RIGHTS.** The Permittee, for itself, its successors, and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, which provides in part that no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of any Facility.
7. **SAFETY.** MnDOT shall retain the right to limit and/or restrict any activity, including the parking of vehicles and assemblage of Facility users, on the highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and Facility users.
8. **ASSIGNMENT.** No assignment of this permit is allowed.
9. **IN WRITING.** Except for those which are set forth in this permit, no representations, warranties, or agreements have been made by MnDOT or Permittee to one another with respect to this permit.
10. **ENVIRONMENTAL.** The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
11. **MECHANIC'S LIENS.** The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto.

12 NOTICES. All notices which may be given, by either party to the other, will be deemed to have been fully given when served personally on MnDOT or Permittee or when made in writing addressed as follows:

to Permittee at:

and to MnDOT at:

Mayor
Maple Grove City Hall
12800 Arbor Lakes Parkway
Maple Grove, MN 55369

State of Minnesota
Department of Transportation
Metro District Right of Way
1500 W. County Road B2
Roseville, MN 55113

The address to which notices are mailed may be changed by written notice given by either party to the other.

13 INDEMNITY. Permittee shall defend, indemnify, hold harmless and release the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns, from and against:

(a) all claims, demands, and causes of action for injury to or death of persons or loss of or damage to property (including Permittee's property) occurring on the Facility or connected with Permittee's use and occupancy of the Area, regardless of whether such injury, death, loss or damage is caused in part by the negligence of State of Minnesota or is deemed to be the responsibility of State of Minnesota because of its failure to supervise, inspect or control the operations of Permittee or otherwise discover or prevent actions or operations of Permittee giving rise to liability to any person.

(b) claims arising or resulting from the temporary or permanent termination of Facility user rights on any portion of highway right of way over which this permit is granted;

(c) claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages;

(d) any laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever filed or maintained for or on account of any work done or materials furnished; and

(e) any damages, testing costs and clean-up costs arising from spillage of regulated materials attributable to the construction, maintenance or operation of the Facility.

MINNESOTA DEPARTMENT
OF TRANSPORTATION

RECOMMENDED FOR APPROVAL

By: Scott L. Z...
District Engineer

Date 5/5/14

CITY OF MAPLE GROVE

By [Signature]
Its Mayor

And [Signature]
Its City Administrator

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: [Signature]
Director, Office of Land Management

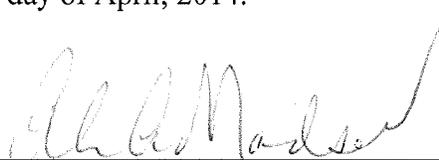
Date 5/30/14

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified City Clerk of the City of Maple Grove, Hennepin County, Minnesota, hereby certify that I have carefully compared the attached Resolution with the original thereof on file and of record in my office, and the same is a full, true and correct copy of City Council Resolution No. 14-027 as adopted on the 7th day of April, 2014.

WITNESS, my hand and seal this 9th day of April, 2014.



Alan A. Madsen, City Clerk

RESOLUTION NO. 14-027

RESOLUTION APPROVING A LIMITED USE PERMIT WITH THE STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION FOR PEDESTRIAN TRAILS IN THE RIGHT-OF-
WAY OF I-94 AT 105TH AVENUE NORTH

WHEREAS, the City of Maple Grove is a political subdivision, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of Maple Grove has approved a plan to construct pedestrian trails in the right-of-way of I-94 to promote the orderly and safe crossing of the highway; and,

WHEREAS, the State of Minnesota, Department of Transportation requires a Limited Use permit for the construction and utilization of said pedestrian trails.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Maple Grove hereby enters into a Limited Use Permit with the State of Minnesota, Department of Transportation for the following purposes:

1. To operate and maintain pedestrian trails within the right-of-way of I-94 of the State of Minnesota along 105th Avenue North. The City of Maple Grove shall operate and maintain said trails in accordance with the Limited Use Permit granted by the Minnesota Department of Transportation.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council and the Mayor are authorized to execute the Limited Use Permit and any amendments to the Permit.

Adopted by the City Council on this 7th day of April, 2014.

The motion for the adoption of the foregoing resolution was made by Councilmember Leith, seconded by Councilmember Johnson, and upon vote being duly taken thereon, the following voted in favor thereof: Mayor Steffenson and Councilmember Jaeger.

and the following voted against the same: None.

and the following were absent: Councilmember Sargent.

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 14-027 is a true and correct copy of the Resolution as adopted by the City Council on the 7th day of April, 2014.

A handwritten signature in cursive script, appearing to read "Alan A. Madsen", written over a horizontal line.

Alan A. Madsen, City Clerk

