

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE MINNESOTA DEPARTMENT OF TRANSPORTATION,
THE CITY OF RAMSEY, and ANOKA COUNTY**

WHEREAS, the Minnesota Department of Transportation (Mn/DOT), the City of Ramsey (City), and Anoka County (County) all support improving and upgrading TH 10 from an expressway to a freeway; and

WHEREAS, planning work on the corridor has already started in the form of the TH 10 Corridor Management Plan completed in spring 2002 and the Ramsey TH 10 Corridor AUAR completed in summer 2003; and

WHEREAS, the proposed TH 10 freeway corridor lies between existing TH 10 to the south and the BNSF RR to the north; and

WHEREAS, the City established a six-month (August 25, 2003 – February 25, 2004) moratorium for land use in the recommended Official Mapping area; and

WHEREAS, local units of government have the right to preserve land in advance for roadways that are needed in the future (MN Statutes 394.361 and 462.359); and

WHEREAS, Identification on an official map of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made which will make such adjustments difficult to accomplish (MN Statutes 394.361 and 462.359); and

WHEREAS, the Official Mapping process is another right-of-way preservation tool and it is needed in order to participate in the Right-of-Way Acquisition Loan Fund (RALF) program; and

WHEREAS, improvements will need to take place logically, incrementally, and in-sync with improvements on the corridor in other cities, such as Anoka, Coon Rapids, and Elk River; and

WHEREAS, ultimate project construction financing sources could be Federal, State, City, and County funds; and

WHEREAS, Mn/DOT, the City, and the County believe that by combining resources and working together we will be able to provide better solutions for the corridor and provide more efficient use of resources by organizing and coordinating our responsibilities.


NOW THEREFORE, Mn/DOT, the City, and the County agree to the following:

1. This Memorandum of Understanding (“MOU”) is not a binding agreement and that any binding obligations of the parties to this MOU will be made pursuant to written, and properly executed and approved agreement(s).
2. Mn/DOT will take the lead on preparing the Official Map for the TH 10 Corridor within the City of Ramsey from approximately Armstrong Blvd to the Ramsey/Anoka city limits and from TH 10 north to the BNSF RR.
3. The City will prepare the resolution and ordinance and consider adoption of the Official Map. A public hearing is needed to adopt the Official Map by ordinance. The City shall arrange the public hearing. Mn/DOT and the County shall be present at the hearing.
4. The County will record the Official Map and ordinance.
5. Once the Official Map is adopted, Mn/DOT will advise the Metropolitan Council that this portion of TH 10 is now officially mapped by sending a copy of the map to the Metropolitan Council along with a letter indicating that the lands are needed for highway purposes and RALF funding would be sought by the City of Ramsey as property becomes available for purchase.
6. As property becomes available from willing sellers, the City of Ramsey will take the lead in acquiring those properties that it can. The City will arrange for appraisals, enter into the loan agreement, file the restrictive covenant with Anoka County, and manage the property until Mn/DOT buys it. The City should seek RALF Program funds for right-of-way from the Metropolitan Council following the RALF Program Guidelines and Applicable Minnesota State Statutes as specified in Appendix D of the Ramsey TH 10 Official Map Technical Report “Establishing an Official Map Along TH 10 in the City of Ramsey”.
7. Mn/DOT will determine if the property is needed for highway construction, review and certify appraisals, and repay (at the time of construction) RALF program funds.
8. The City will use the Official Map when reviewing site plan requests, subdivisions, plats, and conditional use permits.

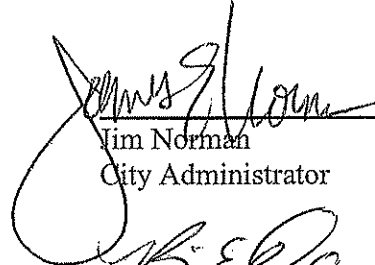
9. The City will establish an Appeals Board in the event that a property owner appeals the denial of a land use, zoning permit, or site plan. The appeals board would have the power to grant a permit or approval for building.
10. Until NEPA environmental documentation is done, the City will perform all negotiations with property owners.
11. The County and the City will show improvements to the TH 10 Corridor (conversion to freeway) in their comprehensive plans.
12. Mn/DOT, the City, and Anoka County will work together to implement interim safety and access management projects on TH 10 and adjoining cross-streets.
13. Mn/DOT, the City, and the County will work cooperatively to prepare conceptual designs and a proposed project implementation plan for TH 10.
14. Improvements will take place logically, incrementally, and in-sync with improvements on the corridor in Anoka, Coon Rapids, and Elk River.
15. Mn/DOT, the City, and the County will pool resources and funds to implement the proposed improvements. The sharing of construction costs will be in accordance with the Mn/DOT cost participation policy in effect at that time.
16. This MOU shall be in effect until the TH 10 Corridor is upgraded to a freeway through the City.

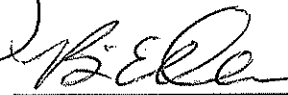
I concur with this Memorandum of Understanding.

**MINNESOTA DEPARTMENT OF
TRANSPORTATION**

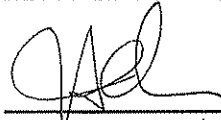
 by *Patrick Hughes* Date 4/18/04
Patrick Hughes
Metro District Engineer

CITY OF RAMSEY

 by *Jim Norman* Date 4-14-04
Jim Norman
City Administrator

 by *Brian Olson* Date 4/14/04
Brian Olson
Principal City Engineer

ANOKA COUNTY

 by *Jon Olson* Date 4/29/04
~~Jon Olson, Chair, Anoka County Board of Commissioners~~
Jon Olson, Public Services Division Manager

~~_____ Date _____~~
~~John "Jay" McLinden, County Administrator~~