

## RIGHT OF ENTRY AGREEMENT

### TRUNK HIGHWAY 10 / CSAH 83 (ARMSTRONG BLVD.) INTERCHANGE PROJECT (S.P. 002-683-004)

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the **County of Anoka**, a Minnesota political subdivision, 2100 Third Avenue North, Anoka, Minnesota 55303, and the **City of Ramsey**, a Minnesota municipal corporation, 7550 Sunwood Drive N.W., Ramsey, Minnesota 55303.

#### Recitals

- A. The County and City entered into a Joint Powers Agreement concerning the construction of a new, fully directional interchange at the intersection of Trunk Highway 10 and County State Aid Highway 83 (Armstrong Blvd.).
- B. The County prepared plans for the project, designated as Project No. S.P. 002-683-004 (“the Project”), and, pursuant to the JPA, will undertake the actual construction.
- C. Construction of the Project requires access to certain parcels of land owned by the City, and parcels over which the City has right-of-way and/or utility easements.
- D. The purpose of this Agreement is for the City to expressly grant the County access to those parcels and easements for the purpose of undertaking and completing the Project.

Now, therefore, in consideration of the mutual benefits and obligations reflected herein, the parties agree as follows:

- 1. Access to Easements. The City grants the County access to the right-of-way, drainage, utility and other City easements within the Project area to the extent necessary for the County, its employees, agents and assigns, to complete the work encompassed by the Project pursuant to the JPA. Said access shall be consistent with, but not in excess of, the City’s rights under the existing easements.
- 2. Access to Property. The City is the fee owner of certain parcels within the Project construction zone, as listed in Exhibit A (“City Parcels”). The City grants the County access to the City Parcels to the extent necessary for the County, its employees, agents and assigns, to complete the work encompassed by the Project pursuant to the JPA.
- 3. Condition of Property. The County shall ensure that the Project work undertaken within the City’s easements or parcels is completed in a workmanlike manner and the easements and parcels are returned to their original condition (subject to Project improvements), left free of debris and construction materials, and are properly graded and restored as required in the Project plans and specifications.

4. Access Issues. In the event the holder of fee title, or lessee thereof, to land underlying a City easement challenges or otherwise questions the County's construction activities within the easement, the County shall contact the City Engineer as soon as reasonably possible. The City shall assist in mediating any disputes with land owners and lessees.

COUNTY OF ANOKA

CITY OF RAMSEY

By: \_\_\_\_\_  
Rhonda Sivarajah, Chair

By: \_\_\_\_\_  
Sarah Strommen, Mayor

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Jerry Soma  
County Administrator

By: \_\_\_\_\_  
Kurtis G. Ulrich  
City Administrator

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_