

**CITY OF RAMSEY**  
**AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT FOR COR SAPPHIRE ADDITION**

This Development Agreement Amendment No. 1 (hereinafter the “Amendment No. 1”) is dated as of this 27<sup>th</sup> day of July, 2021 and is by and between the **CITY OF RAMSEY**, a Minnesota municipal corporation (the “**CITY**”) and **SAPPHIRE APARTMENT, LLC**, a limited liability corporation under the laws of the State of Minnesota (the “**PERMITTEE**”).

**Recitals**

- A. The **PERMITTEE** and **CITY** entered into a Development Agreement (the “Development Agreement”) for COR Sapphire Addition on October 7<sup>th</sup>, 2019.
- B. The Development Agreement obligated the **PERMITTEE** to pay all costs for constructing the retaining wall and concrete cross gutter improvements as shown in the Grading, Drainage and Erosion Control Plans for the Sapphire Apartments, attached in **EXHIBIT A**.
- C. The **PERMITTEE** and **CITY** wish to share in the costs for the **PERMITTEE** to construct the retaining wall, concrete sidewalk, boulevard and street improvements as shown in the Center Street Improvement Plans (the “Plans”) prepared by Hakanson Anderson and Associates, dated July 22, 2021, which are not attached to this amendment but are in the **CITY’s** files.
- D. Estimated construction costs for the Center Street Improvements are attached in **EXHIBIT B**.
- E. Final construction costs will not exceed the estimated construction costs.

**Agreement**

In consideration of the mutual promises set forth below, the parties agree as follows:

- 1. The recitals stated above are hereby incorporated into this Amendment No. 1.

2. Section 2 of the Development Agreement is amended as follows:
- a. The Plans defined within this Amendment No. 1 shall be used to construct the retaining wall and concrete cross gutter improvements in lieu of the Plans identified within the Development Agreement.
  - b. The **PERMITTEE** agrees to complete the construction of the Center Street Improvements no later than September 3, 2021, to avoid conflicts with the **CITY's** Happy Days event.
  - c. All costs to construct the Center Street Improvements shall be shared by the parties as follows:
    - i. **PERMITTEE** agrees to pay for all costs to construct the retaining wall and concrete cross gutter improvements, including the proportionate share of mobilization costs, in an amount not to exceed **\$12,410.85** as based on the estimated costs in **EXHIBIT B**.
    - ii. **CITY** agrees to pay for all costs to construct the concrete sidewalk, boulevard, and street improvements, including the proportionate share of mobilization costs, in an amount not to exceed **\$141,740.15** as based on the estimated costs in **EXHIBIT B**.
  - d. The terms and conditions of the Development Agreement shall remain in effect except to the extent modified by this Amendment No. 1. To the extent there is a conflict between this Amendment No. 1 and the Development Agreement, this Amendment No. 1 shall govern.

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## EXHIBIT B

### Estimated Construction Costs for Center Street Improvements

CITY OF RAMSEY  
ENGINEER'S OPINION OF PROBABLE COST  
CENTER STREET CURB AND SIDEWALK IMPROVEMENTS  
JULY 16, 2021

ITEM NO.	ITEM DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION
1	MOBILIZATION	1	LS	\$ 12,000.00	\$ 12,000.00
2	REMOVE CATCH BASIN	1	EACH	\$ 1,800.00	\$ 1,800.00
3	SAWING CONCRETE CURB & GUTTER	8	LF	\$ 10.00	\$ 80.00
4	SAWING BIT PAVEMENT (FULL DEPTH)	397	LF	\$ 4.00	\$ 1,588.00
5	SAWING CONCRETE SIDEWALK	6	LF	\$ 8.00	\$ 48.00
6	REMOVE CONCRETE CULVERT	2	LF	\$ 100.00	\$ 200.00
7	REMOVE BITUMINOUS CURB	208	LF	\$ 5.00	\$ 1,040.00
8	REMOVE CONCRETE CURB & GUTTER	92	LF	\$ 20.00	\$ 1,840.00
9	REMOVE BITUMINOUS PAVEMENT	570	SY	\$ 6.00	\$ 3,420.00
10	REMOVE CONCRETE SIDEWALK	82	SF	\$ 8.00	\$ 656.00
11	COMMON EXCAVATION (P)	170	CY	\$ 40.00	\$ 6,800.00
12	SELECT GRANULAR BORROW	30	CY	\$ 40.00	\$ 1,200.00
13	SUBGRADE PREPARATION - STREET	3	RDST	\$ 250.00	\$ 750.00
14	SUBGRADE PREPARATION - SIDEWALK	3	RDST	\$ 350.00	\$ 1,050.00
15	AGGREGATE BASE CLASS 5 - RAMSEY MODIFIED	90	TON	\$ 45.00	\$ 4,050.00
16	MILL BITUMINOUS SURFACE	39	SY	\$ 10.00	\$ 390.00
17	BITUMINOUS MATERIAL FOR TACK COAT	23	GAL	\$ 3.00	\$ 69.00
18	TYPE SP 9.5 WEARING COURSE MIXTURE (3:C)	41	TON	\$ 120.00	\$ 4,920.00
19	TYPE SP 12.5 NONWEAR COURSE MIXTURE (3:C)	51	TON	\$ 100.00	\$ 5,100.00
20	4" DUAL CONDUIT FOR IRRIGATION	390	LF	\$ 10.00	\$ 3,900.00
21	15" RC PIPE DESIGN 3006	5	LF	\$ 50.00	\$ 250.00
22	6" PVC PIPE SCH 40	135	LF	\$ 50.00	\$ 6,750.00
23	6" PVC PIPE CAP	2	EACH	\$ 50.00	\$ 100.00
24	CONNECT TO EXISTING STORM SEWER	1	EACH	\$ 500.00	\$ 500.00
25	SALVAGE AND REINSTALL FRAME & CASTING	1	EACH	\$ 800.00	\$ 800.00
26	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	1	LS	\$ 3,500.00	\$ 3,500.00
27	6" CONCRETE WALK	2,439	SF	\$ 10.00	\$ 24,390.00
28	CONCRETE CURB & GUTTER DESIGN B618	325	LF	\$ 40.00	\$ 13,000.00
29	7" CONCRETE PAVEMENT (CROSS GUTTER)	38	SY	\$ 70.00	\$ 2,660.00
30	TRUNCATED DOMES	50.4	SF	\$ 50.00	\$ 2,520.00
31	SALVAGE AND REINSTALL SIGN	2	EACH	\$ 100.00	\$ 200.00
32	TRAFFIC CONTROL	1	LS	\$ 1,200.00	\$ 1,200.00
33	RETAINING WALL	230	SF	\$ 25.00	\$ 5,750.00
34	STORM DRAIN INLET PROTECTION	5	EACH	\$ 150.00	\$ 750.00
35	LOAM TOPSOIL BORROW	20	CY	\$ 50.00	\$ 1,000.00
36	SODDING TYPE LAWN	80	SY	\$ 10.00	\$ 800.00
37	CROSSWALK PREFORM THERMPLASTIC GROUND IN	120	SF	\$ 10.00	\$ 1,200.00
38	4" SOLID LINE PAINT (WHITE)	36	LF	\$ 5.00	\$ 180.00
ESTIMATED CONSTRUCTION COST					\$ 116,451.00
CONSTRUCTION CONTINGENCY					\$ 12,000.00
ESTIMATED ENGINEERING COSTS					\$ 25,700.00
<b>TOTAL ESTIMATED PROJECT COST</b>					<b>\$ 154,151.00</b>