

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #23-019**

**RESOLUTION APPROVING RESTRICTIVE COVENANTS FOR MULTIPLE RALF PARCELS FOR THE RAMSEY GATEWAY PROJECT**

**WHEREAS**, the City of Ramsey, herein referred to as the “City,” acquired various parcels acquired utilizing the Right of Way Acquisition Loan Fund (RALF) for the purposes relating to construction of future Hwy 10 improvements the City of Ramsey; and

**WHEREAS**, the Ramsey Gateway Highway 10 improvement project is fully funded and ROW acquisition related to the future improvements has commenced by the County of Anoka, acting as the highway authority; and

**WHEREAS**, the City and the County of Anoka have negotiated a Settlement Agreement for the sale of the parcels legally described on **Exhibit A** (“the **Property**”); for ROW and Easements for the Ramsey Gateway Hwy 10 Project and the City Attorney has approved the document as to form; and

**WHEREAS**, restrictive covenants are required to be recorded on the remnant parcels of the Property legally described on Exhibit B (the “Remnant Parcels”); and

**WHEREAS**, the restrictive covenant agreements for the Remnant Parcels have been drafted and the City Attorney has approved them as to form.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

- 1) That the City hereby authorizes the City Administrator and Mayor to sign any and all documents for each Restrictive Covenant Agreement for each Remnant Parcel identified on Exhibit B.
- 2) That the City Council authorizes payment of the recording fees in an amount not to exceed \$500.00 for the Restrictive Covenant Agreements for the Remnant Parcels to be paid from Fund 9410-6315 or another source as recommended by the Finance Director

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

None

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 10th day of January 2023.

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Mayor

ATTEST:

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City Clerk

**EXHIBIT A**  
**The “PROPERTY”**

**Parcel 7 (PE)**

A perpetual permanent easement for vehicular access related to Burlington Northern Santa Fe (BNSF) railway maintenance, and all such purposes ancillary, incident or related thereto, over, under, across, and upon that real property legally described as: Parcel 7PE, Anoka County Highway Right-of-Way Plat No. 102, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

**Parcel 60**

**In Fee Title:** Parcel 60, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

**Parcel 62**

**In Fee Title:** Parcel 62, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

**Parcel 65**

**In Fee Title:** Parcel 65, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

**Parcel 68**

**In Fee Title:** Parcel 68, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

**Parcel 69**

**In Fee Title:** Parcel 69, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

**EXHIBIT B**  
**The “Remnant Parcels”**

Lot 17, Auditors Subdivision No. 96 except the westerly 125 feet thereof according to the map or plat thereof on file & of record in the office of the Reg. of Deeds Anoka County, and except that area described as Parcel 62, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

Part of Anoka County Tax ID Number 35-32-25-31-0007 and all of 35-32-25-24-0001

And;

Tract C, Registered Land Survey No. 151, except that area described as Parcel 65, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

(Part of Anoka County Tax ID Number 35-32-25-31-0024)

And;

Lots 3 and 4, Block 1, Guy Addition, except those areas described as Parcels 68 and 69, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles

(Part of Anoka County Tax ID Parcels 35-32-25-31-0027 and 35-32-25-31-0028)

And;

That part of the West Half of the Southeast Quarter of Section 28, Township 32, Range 25, Anoka County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section 28; thence on an assumed bearing of North 0 degrees 28 minutes 50 seconds West, along the East line of said Southeast Quarter of Section 28, a distance of 164.43 feet to monument A-85 on the Northerly right-of-way boundary line of Trunk Highway No. 10 as shown on Minnesota Department of Transportation Plat 02-M4, filed as Anoka County Recorder Document No. 541039; thence North 65 degrees 51 minutes 38 seconds West, along said Northerly right-of-way line, a distance of 806.12 feet to monument A-39 as shown on said plat; thence continue along said Northerly right-of-way line on a tangential curve concave to the Northeast, radius 22,673.76 feet, central angle 1 degree 42 minutes 24 seconds, a distance of 675.48 feet to monument A-37 as shown on said plat; thence North 64

degrees 09 minutes 14 seconds West, along said Northerly right-of-way line, a distance of 430.18 feet to the point of beginning of the land to be described; thence continue North 64 degrees 09 minutes 14 seconds West, along said Northerly right-of-way line, a distance of 538.00 feet to a point distant 985.00 feet Northwesterly, as measured along said Northerly right-of-way line, from its intersection with the East line of said West Half of the Southeast Quarter; thence North 4 degrees 33 minutes 33 seconds West a distance of 269.97 feet to the Southerly right-of-way line of the Burlington Northern Railroad; thence South 66 degrees 42 minutes 01 seconds East along said Southerly right-of-way line, a distance of 630.93 feet to the intersection with a line bearing North 16 degrees 12 minutes 07 seconds East from the point of beginning; thence South 16 degrees 12 minutes 07 seconds West a distance of 264.61 feet to the point of beginning.

Subject to a perpetual permanent easement for vehicular access related to Burlington Northern Santa Fe (BNSF) railway maintenance, and all such purposes ancillary, incident or related thereto, over, under, across, and upon that real property legally described as: Parcel 7PE, Anoka County Highway Right-of-Way Plat No. 102, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

(Part of Anoka County Tax ID Number 28-32-25-43-0002)

And;

That part of the Northwest Quarter, Section 35, Township 32, Range 25 described as follows: Beginning at a point on the south line of said Northwest Quarter distant 1195 feet east from the southwest corner of said Northwest Quarter; thence on an assumed bearing of North 89 degrees 01 minutes 41 seconds East along said south line, a distance of 133.38 feet; thence North 19 degrees 27 minutes 07 seconds East a distance of 229.38 feet to the intersection with the Southwesterly right-of-way line of Burlington Northern, Inc. (formerly Saint Paul & Pacific Railroad Company); thence North 66 degrees 40 minutes 46 seconds West, along said right-of-way line, a distance of 125.28 feet to the intersection with a line bearing North 19 degrees 27 minutes 07 seconds East from the point of beginning; thence South 19 degrees 27 minutes 07 seconds West a distance of 284.38 feet to the point of beginning. (Said tract is also known as the westerly 125 feet of Lot 19, Auditor's Subdivision No. 96.)

AND

That part of Government Lot 1 and of the Northeast Quarter of the Southwest Quarter, Section 35, Township 32, Range 25, described as follows: Beginning at a point on the north line of said Government Lot 1 distant 1195.00 feet east from the northwest corner of said Southwest Quarter of Section 35; thence on an assumed bearing of North 89 degrees 01 minute 41 seconds East, along said north line and along the north line of said Northeast Quarter of the Southwest Quarter, a distance of 133.38 feet; thence South 17 degrees 59 minutes 01 second West a distance of 152.90 feet to the intersection with the northerly right-of-way boundary line of Trunk Highway No. 10, as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION MONUMENTATION PLAT 02-M6, filed as Anoka County Recorder Document No. 541043; thence North 70 degrees 54 minutes 47 seconds West,

along said right-way-line, a distance of 128.92 feet to the intersection with a line bearing South 19 degrees 27 minutes 07 seconds West from the point of beginning; thence North 19 degrees 27 minutes 07 seconds East a distance of 107.12 feet to the point of beginning.

(Said tract is also known as part of Lot 17, Auditor's SUBDIVISION No. 96.)

The easterly, westerly and southerly boundary lines of said tract are marked by judicial landmarks set pursuant to Torrens Case No. C5-91-5329.

Except that area described as Parcel 60, Anoka County Highway Right-of-Way Plat No. 103, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

(Part of Anoka County Tax ID Number 35-32-25-23-0006)