

## **AGREEMENT AND RESTRICTIVE COVENANT**

**THIS AGREEMENT** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, between the City of Ramsey, a Minnesota municipal corporation, ("the City"), and the Metropolitan Council, a public corporation and political subdivision of the State of Minnesota, ("the Council").

**WHEREAS**, the City has acquired fee title in the real property described in Exhibit A attached hereto and incorporated herein; and

**WHEREAS**, the Council has contributed funds toward the acquisition of the City's interest in the real property pursuant to the Council's Loan Program and a Loan Agreement between the Council and the City as authorized by Minnesota Statutes section 473.167; and

**WHEREAS**, the Loan Program was established to provide for the acquisition of property within the right-of way of a state trunk highway shown on an official map when necessary to avoid imminent conversion of such property to a use which would jeopardize the property's availability for highway construction.

**NOW, THEREFORE**, in consideration of the loan made by the Council to the City and in consideration of the mutual agreements and covenants, the Council and City agree as follows:

1. No sale, lease, mortgage, or other conveyance, nor the creation of any easement, restriction or other encumbrance against the real property described in Exhibit A shall be valid for any purpose unless the written approval of the Council, or its successors, is duly filed and recorded at the time of the filing and recording of the instrument to which such approval pertains.
2. The real property described in Exhibit A shall not be used for any purpose except the construction of TH 10 from approximately Armstrong Boulevard to the Ramsey-Anoka City boundary and bounded to the north by the BNSF rail line unless the Council, or its successors, shall consent to such other use or uses by instrument in writing duly filed and recorded and designating the nature, extent and duration of the use for which such consent is given.



**METROPOLITAN COUNCIL**

By \_\_\_\_\_

Mary Bogie

Regional Administrator

STATE OF MINNESOTA        )  
  )ss.  
COUNTY OF RAMSEY        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Mary Bogie, the Regional Administrator of the Metropolitan Council, a public corporation and political subdivision, on its behalf.

\_\_\_\_\_  
Notary Public

This instrument drafted by:

City of Ramsey  
7550 Sunwood Drive NW  
Ramsey, MN 55303  
Ssullivan@cityoframsey.com  
763-433-9868

### **Exhibit A**

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)