

**RAMSEY COUNTY  
COOPERATIVE AGREEMENT  
WITH THE CITY OF SAINT PAUL FOR  
Right of Way Acquisition for County State Aid Highway 51 (Lexington Parkway)  
From Shepard Road to Adrian Street  
County State Aid Project 062-651-067**

**Municipal State Aid Project 164-020-161**

**Total Estimated Right of Way Acquisition Cost: \$1,477,422.00  
City of Saint Paul Estimated Cost: \$738,711.00**

**Attachments:**

- A- Acquisition Estimate**
- B- Right of Way Layout**

This Agreement is between the City of Saint Paul, a municipal corporation ("City") and Ramsey County, a political subdivision of the State of Minnesota, ("County") for Right of Way Acquisition. This agreement relates to the reconstruction of County State Aid Highway (CSAH) 51 (Lexington Parkway) from Shepard Road to Adrian Street ("Project").

WHEREAS, the City of Saint Paul (City) and Ramsey County (County) desire to reconstruct Lexington Parkway from Shepard Road to Adrian Street and make certain improvements associated with said reconstruction; and

WHEREAS, the Project is identified in Ramsey County's 2021 – 2025 Transportation Improvement Program; and

WHEREAS, the reconstruction requires right of way ("ROW") acquisition; and

WHEREAS, the project has been designated for funding by the Minnesota Department of Transportation ("MnDOT") as eligible for County State Aid Highway ("CSAH") funds, and, Municipal State Aid System ("MSAS") funds; and

WHEREAS, the Project has been designated as County State Aid Project SP 062-651-067 and Municipal State Aid Project 164-020-161; and

WHEREAS, plans for the Project showing proposed ROW acquisition and estimated costs of said acquisition according to the County and City share are included herein as attachments;

NOW, THEREFORE, BE IT MUTUALLY AGREED AS FOLLOWS:

## **AGREEMENT**

1. Responsibility for the Right of Way Plan and Acquisition
  - 1.1. The County will prepare a right of way acquisition plan showing easements and other property interests required for construction of the Project in accordance with Mn/DOT State Aid standards.
  - 1.2. The County will acquire the proposed easements and ROW in accordance with Mn/DOT State Aid requirements.
  
2. Procurement and Award of Contract
  - 2.1. The County will purchase ROW acquisition services and appraisal services in accordance with State law and County procedures.
  
3. Project Costs
  - 3.1. Except as provided herein, the County and City will participate in the costs of ROW acquisition in accordance with the Ramsey County Cost Participation Policy and approved in the 2021 – 2025 Ramsey County Transportation Improvement Plan. If there is a conflict between the Cost Participation Policy and this Agreement, this Agreement shall prevail.
  
  - 3.2. ROW Acquisition Costs
    - 3.2.1. ROW acquisition costs including payment to owners, relocation assistance, appraisal fees, and other related costs of acquiring ROW for the Project will be shared 50% by the County and 50% by the City.
  
    - 3.2.2. The County will not be responsible for assessments, fees, or fines, associated with owning property acquired for the Project. If the City imposes assessments, fees, or fines, the County will pay those costs and the City will reimburse the County for those costs.
  
    - 3.2.3. The County will pay 100% of County staff time for right of way acquisition.

4. Payment Schedule

4.1. ROW acquisition costs and payments will be invoiced monthly.

4.2. Payment will be made within 35 days of receipt of an invoice.

5. ROW acquired under this Agreement will be owned by the County.

6. The City grants the County temporary construction easements over all City owned ROW and property within the limits of the Project for use during construction at no cost to the County.

7. The City and County shall indemnify, defend, and hold each other harmless against any and all liability, losses, costs, damages, expenses, claims, or actions, including attorney's fees, which the indemnified party, its officials, agents, or employees may hereafter sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the indemnifying party, its officials, agents, or employees, in the execution, performance, or failure to adequately perform the indemnifying party's obligation pursuant to this Agreement. Nothing in this Agreement shall constitute a waiver by the County or the City of any statutory or common law immunities, limits, or exceptions on liability.

8. COUNTERPARTS: The parties may sign this Agreement in counterparts, each of which constitutes an original, but all of which together constitute one instrument.

8.1 ELECTRONIC SIGNATURES: The parties agree that the electronic signature of a party to this Agreement shall be as valid as an original signature of such party and shall be effective to bind such party to this Agreement. The parties further agree that any document (including this Agreement and any attachments or exhibits to this Agreement) containing, or to which there is affixed, an electronic signature shall be deemed (i) to be "written" or "in writing," (ii) to have been signed and (iii) to constitute a record established and maintained in the ordinary course of business and an original written record when printed from electronic files. For purposes hereof, "electronic signature" also means a manually signed original signature that is then transmitted by any electronic means, including without limitation a faxed version of an original signature or an electronically scanned and transmitted version (e.g., via PDF) of an original signature. Any party's failure to produce the original signature of any electronically transmitted signature shall not affect the enforceability of this Agreement.

9. This Agreement shall remain in full force and effect until terminated by written mutual agreement of the parties.

CITY OF *Saint Paul*, MINNESOTA

By: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Director of Public Works

Date: \_\_\_\_\_

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

Date: \_\_\_\_\_

Approved by the Office of Financial Services:

By: \_\_\_\_\_  
Director

Date: \_\_\_\_\_

RAMSEY COUNTY, MINNESOTA

\_\_\_\_\_  
Ryan T. O'Connor, County Manager

Date: \_\_\_\_\_

Approval recommended:

\_\_\_\_\_  
Ted Schoenecker, Director  
Public Works Department

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Assistant County Attorney

Date: \_\_\_\_\_

## Attachment A

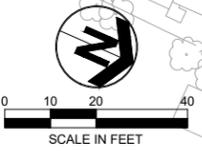
### P-3437 Lexington Parkway Reconstruction Phase 2 - ROW Estimate

Project Parcel #	PID	Address	Property Type	TE (SF)	PE (SF)	Fee Acquisition (SF)
9	142823230002	1085 Montreal Ave	SPHA High Rise	4,017	1,298	0
10	142823320003	1080 Montreal Ave	Commercial	7,256	1,352	0
21	152823410001	1108 Montreal Ave	Single Family	400	0	0
22	152823140029	1101 Montreal Ave	Single Family	0	0	10,300
42	152823140028	1111 Montreal Ave	Single Family	1,217	285	0
43	152823140027	1117 Montreal Ave	Single Family	501	0	0
44	152823410002	1112 Montreal Ave	Single Family	400	0	0
45	152823410003	1116 Montreal Ave	Single Family	200	0	0
46	152823410004	1120 Montreal Ave	Single Family	200	0	0
47	152823410005	1126 Montreal Ave	Single Family	200	0	0
48	152823410006	1130 Montreal Ave	Single Family	200	0	0
Total				14,591	2,935	10,300

#### Estimated Row Expense

Estimated Easement Costs	\$ 1,108,072.00
Estimated Acquisition Fees	\$ 33,150.00
Estimated Relocation Assistance	\$ 310,000.00
Estimated Appraisal Fees	\$ 26,200.00
Total Estimated Row Expense	\$ 1,477,422.00
Ramsey County (50% Share)	\$ 738,711.00
City Of Saint Paul (50% Share)	\$ 738,711.00

# Attachment B



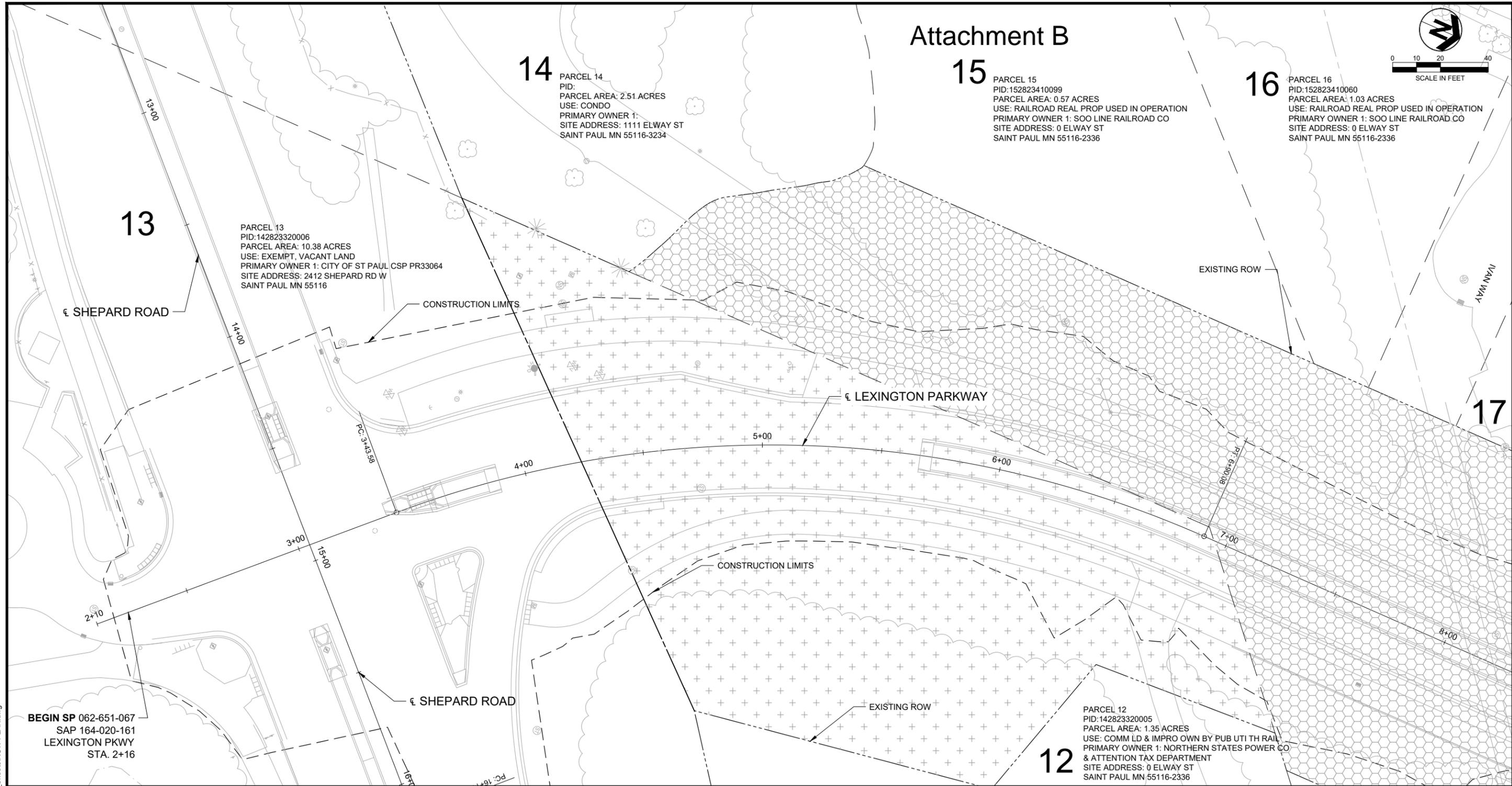
**14** PARCEL 14  
 PID: 152823410099  
 PARCEL AREA: 2.51 ACRES  
 USE: CONDO  
 PRIMARY OWNER 1:  
 SITE ADDRESS: 1111 ELWAY ST  
 SAINT PAUL MN 55116-3234

**15** PARCEL 15  
 PID: 152823410099  
 PARCEL AREA: 0.57 ACRES  
 USE: RAILROAD REAL PROP USED IN OPERATION  
 PRIMARY OWNER 1: SOO LINE RAILROAD CO  
 SITE ADDRESS: 0 ELWAY ST  
 SAINT PAUL MN 55116-2336

**16** PARCEL 16  
 PID: 152823410060  
 PARCEL AREA: 1.03 ACRES  
 USE: RAILROAD REAL PROP USED IN OPERATION  
 PRIMARY OWNER 1: SOO LINE RAILROAD CO  
 SITE ADDRESS: 0 ELWAY ST  
 SAINT PAUL MN 55116-2336

**13** PARCEL 13  
 PID: 142823320006  
 PARCEL AREA: 10.38 ACRES  
 USE: EXEMPT, VACANT LAND  
 PRIMARY OWNER 1: CITY OF ST PAUL CSP PR33064  
 SITE ADDRESS: 2412 SHEPARD RD W  
 SAINT PAUL MN 55116

**12** PARCEL 12  
 PID: 142823320005  
 PARCEL AREA: 1.35 ACRES  
 USE: COMM LD & IMPRO OWN BY PUB UTI TH RAIL  
 PRIMARY OWNER 1: NORTHERN STATES POWER CO  
 & ATTENTION TAX DEPARTMENT  
 SITE ADDRESS: 0 ELWAY ST  
 SAINT PAUL MN 55116-2336



BEGIN SP 062-651-067  
 SAP 164-020-161  
 LEXINGTON PKWY  
 STA. 2+16

### LEGEND

- PROPOSED PERMANENT EASEMENT
- PROPOSED TEMPORARY EASEMENT
- EXISTING ROW
- PARCEL LINES
- PROPOSED RIGHT OF WAY
- PROPOSED TEMPORARY EASEMENT
- PROPOSED CONSTRUCTION LIMITS
- PROPOSED COUNTY ROAD EASEMENT ON EXISTING CITY PARCEL
- ROAD ON RAILROAD PARCEL WITH EASEMENT. TRANSFER EASEMENT TO COUNTY.

PLOT DATE: Nov 23, 2021 - 8:26am  
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NO.	DATE	BY	DESCRIPTION OF REVISIONS

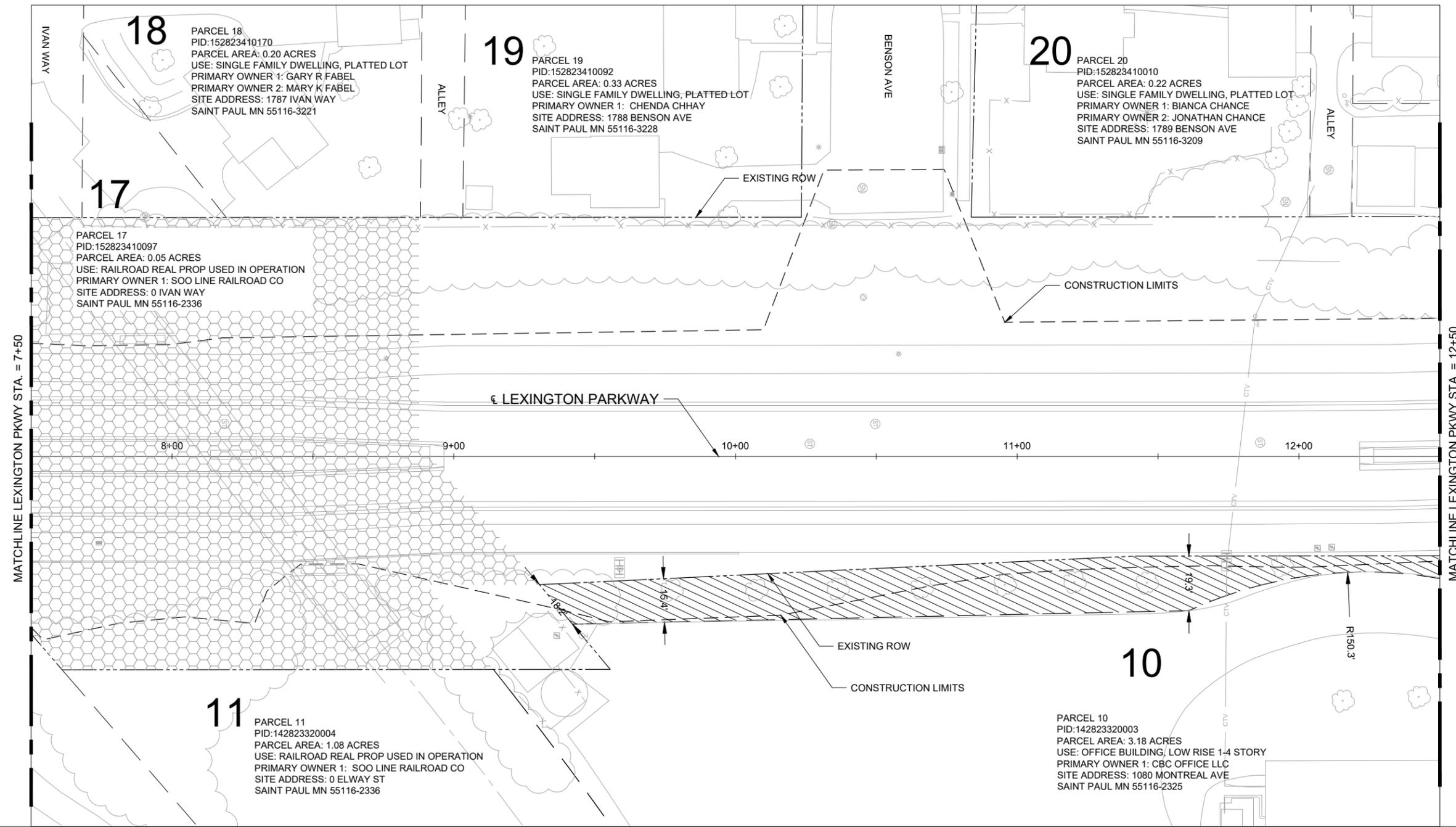
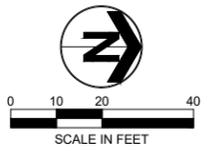
DESIGNED: LPP  
 DRAWN: SPB  
 CHECKED: KMP  
 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 SIGNATURE: [Signature]  
 DATE: 1/31/2022  
 LICENSE NO.: 41005

444 Cedar Street, Suite 1500  
 Saint Paul, MN 55101  
 651.292.4400  
 tkda.com

**LEXINGTON PARKWAY  
 REALIGNMENT- PHASE 2**

S.P. 062-651-067 S.A.P. 164-020-161

ROW PLAN



**LEGEND**

	PROPOSED PERMANENT EASEMENT		PROPOSED RIGHT OF WAY		PROPOSED COUNTY ROAD EASEMENT ON EXISTING CITY PARCEL
	PROPOSED TEMPORARY EASEMENT		PROPOSED TEMPORARY EASEMENT		ROAD ON RAILROAD PARCEL WITH EASEMENT. TRANSFER EASEMENT TO COUNTY.
	EXISTING ROW		PROPOSED CONSTRUCTION LIMITS		
	PARCEL LINES				

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 FILENAME: K:\n-z\Ramsey\CY18007000\04\_Production\01\_CAD\02\_Sheets\ROW PLAN.dwg

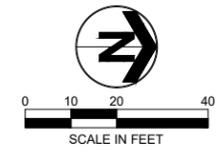
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DESIGNED: LPP  
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 tkda.com

**LEXINGTON PARKWAY  
 REALIGNMENT- PHASE 2**  
 S.P. 062-651-067 S.A.P. 164-020-161

**ROW PLAN**



PARCEL 46  
PID:152823410004  
PARCEL AREA: 0.11 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: STEPHANIE SWANSON  
SITE ADDRESS: 1120 MONTREAL AVE  
SAINT PAUL MN 55116-2336

PARCEL 45  
PID:152823410003  
PARCEL AREA: 0.11 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: HARRY L HUGHLEY  
SITE ADDRESS: 1116 MONTREAL AVE  
ST PAUL MN 55116-2336

PARCEL 44  
PID:152823410002  
PARCEL AREA: 0.11 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: CONNIE WEBER  
SITE ADDRESS: 1112 MONTREAL AVE  
SAINT PAUL MN 55116-2336

PARCEL 21  
PID:152823410001  
PARCEL AREA: 0.11 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: CHEN-DA CHHAY  
SITE ADDRESS: 1108 MONTREAL AVE  
SAINT PAUL MN 55116-2336

PARCEL 43  
PID:152823140027  
PARCEL AREA: 0.17 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: GEORGE R NOVAK  
PRIMARY OWNER 2: MARILYN H NOVAK  
SITE ADDRESS: 1117 MONTREAL AVE  
SAINT PAUL MN 55116-2325

PARCEL 42  
PID:152823140028  
PARCEL AREA: 0.38 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: JULIE BORGERDING JULY  
PRIMARY OWNER 2: ELLERY JULY  
SITE ADDRESS: 1111 MONTREAL AVE  
SAINT PAUL MN 55116-2325

PARCEL 22  
PID:152823140029  
PARCEL AREA: 0.24 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: KIM YONG  
PRIMARY OWNER 2: SAROEUM KEO  
SITE ADDRESS: 1101 MONTREAL AVE  
SAINT PAUL MN 55116-2325  
EXISTING ROW

PARCEL 9  
PID:142823320002  
PARCEL AREA: 2.02 ACRES  
USE: APARTMENTS, HIGH RISE  
PRIMARY OWNER 1: ST PAUL PUBLIC HOUSING  
AGENCY & ATTN: COMPTROLLER  
SITE ADDRESS: 1085 MONTREAL AVE  
SAINT PAUL MN 55116-2325

PARCEL 10  
PID:142823320003  
PARCEL AREA: 3.18 ACRES  
USE: OFFICE BUILDING, LOW RISE 1-4 STORY  
PRIMARY OWNER 1: CBC OFFICE LLC  
SITE ADDRESS: 1080 MONTREAL AVE  
SAINT PAUL MN 55116-2325

MATCHLINE LEXINGTON PKWY STA. = 12+50

LEXINGTON PARKWAY

MONTREAL AVE

END SP 062-651-067  
SAP 164-020-161  
LEXINGTON PKWY  
STA. 16+43

ADRIAN STREET

LEGEND	
	PROPOSED PERMANENT EASEMENT
	PROPOSED TEMPORARY EASEMENT
	EXISTING ROW
	PARCEL LINES
	PROPOSED RIGHT OF WAY
	PROPOSED TEMPORARY EASEMENT
	PROPOSED CONSTRUCTION LIMITS

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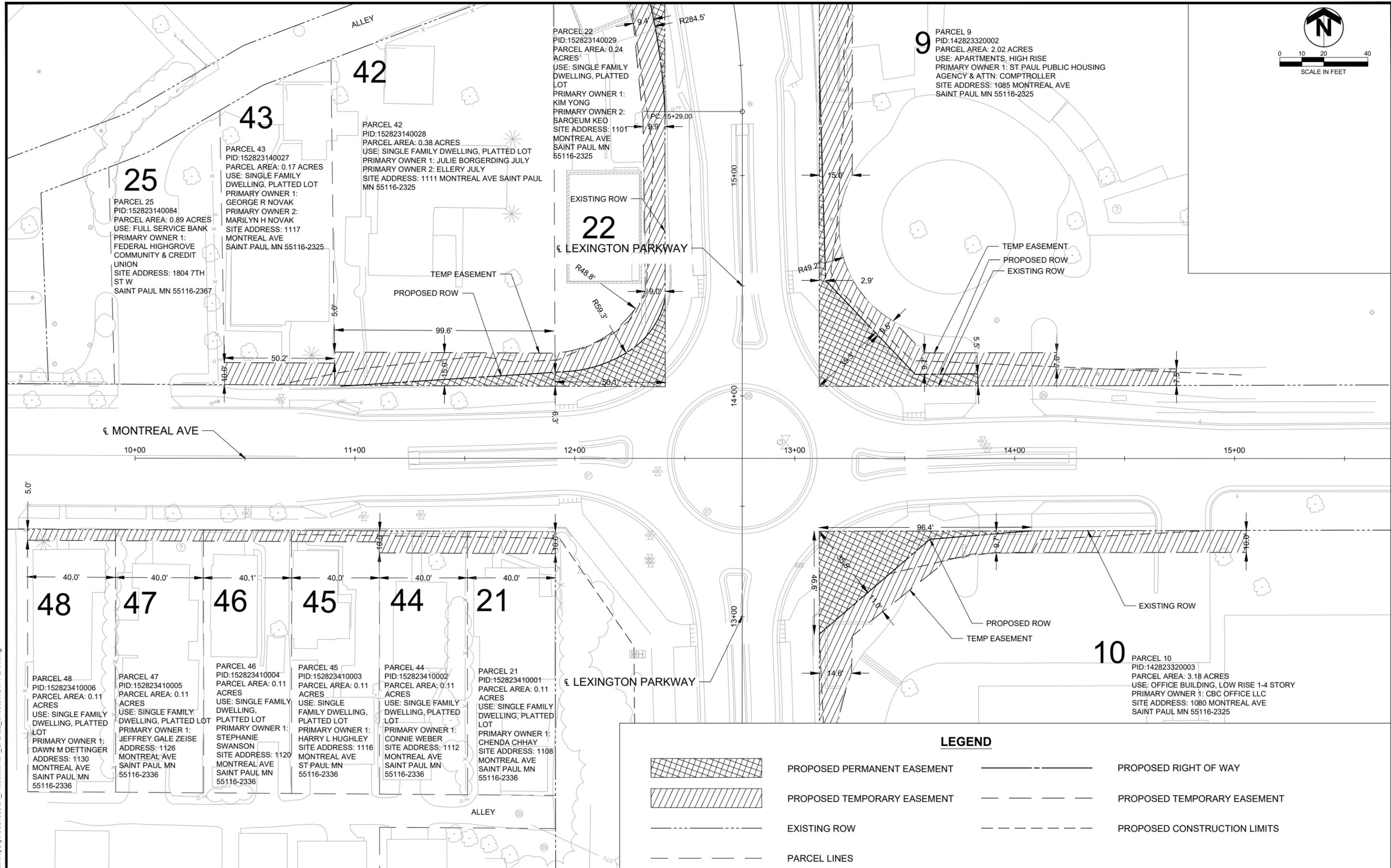
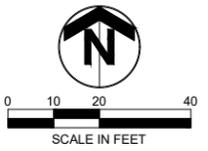
NO.	DATE	BY	DESCRIPTION OF REVISIONS

DESIGNED LPP  
DRAWN SPB  
CHECKED KMP  
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
DATE: 1/31/2022  
NAME: LARRY POPPER  
LIC. NO.: 41003

444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

LEXINGTON PARKWAY  
REALIGNMENT- PHASE 2  
S.P. 062-651-067 S.A.P. 164-020-161

ROW PLAN



**25**

PARCEL 25  
PID:152823140084  
PARCEL AREA: 0.89 ACRES  
USE: FULL SERVICE BANK  
PRIMARY OWNER 1:  
FEDERAL HIGHGROVE  
COMMUNITY & CREDIT  
UNION  
SITE ADDRESS: 1804 7TH  
ST W  
SAINT PAUL MN 55116-2367

**43**

PARCEL 43  
PID:152823140027  
PARCEL AREA: 0.17 ACRES  
USE: SINGLE FAMILY  
DWELLING, PLATTED LOT  
PRIMARY OWNER 1:  
GEORGE R NOVAK  
PRIMARY OWNER 2:  
MARILYN H NOVAK  
SITE ADDRESS: 1117  
MONTREAL AVE  
SAINT PAUL MN 55116-2325

**42**

PARCEL 42  
PID:152823140028  
PARCEL AREA: 0.38 ACRES  
USE: SINGLE FAMILY DWELLING, PLATTED LOT  
PRIMARY OWNER 1: JULIE BORGERDING JULY  
PRIMARY OWNER 2: ELLERY JULY  
SITE ADDRESS: 1111 MONTREAL AVE SAINT PAUL  
MN 55116-2325

**22**

PARCEL 22  
PID:152823140029  
PARCEL AREA: 0.24  
ACRES  
USE: SINGLE FAMILY  
DWELLING, PLATTED  
LOT  
PRIMARY OWNER 1:  
KIM YONG  
PRIMARY OWNER 2:  
SAROEUM KEO  
SITE ADDRESS: 1107  
MONTREAL AVE  
SAINT PAUL MN  
55116-2325

**9**

PARCEL 9  
PID:142823320002  
PARCEL AREA: 2.02 ACRES  
USE: APARTMENTS, HIGH RISE  
PRIMARY OWNER 1: ST PAUL PUBLIC HOUSING  
AGENCY & ATTN: COMPTROLLER  
SITE ADDRESS: 1085 MONTREAL AVE  
SAINT PAUL MN 55116-2325

**48**

PARCEL 48  
PID:152823410006  
PARCEL AREA: 0.11  
ACRES  
USE: SINGLE FAMILY  
DWELLING, PLATTED  
LOT  
PRIMARY OWNER 1:  
DAWN M DETTINGER  
ADDRESS: 1130  
MONTREAL AVE  
SAINT PAUL MN  
55116-2336

**47**

PARCEL 47  
PID:152823410005  
PARCEL AREA: 0.11  
ACRES  
USE: SINGLE FAMILY  
DWELLING, PLATTED LOT  
PRIMARY OWNER 1:  
JEFFREY GALE ZEISE  
ADDRESS: 1126  
MONTREAL AVE  
SAINT PAUL MN  
55116-2336

**46**

PARCEL 46  
PID:152823410004  
PARCEL AREA: 0.11  
ACRES  
USE: SINGLE FAMILY  
DWELLING,  
PLATTED LOT  
PRIMARY OWNER 1:  
STEPHANIE  
SWANSON  
SITE ADDRESS: 1120  
MONTREAL AVE  
SAINT PAUL MN  
55116-2336

**45**

PARCEL 45  
PID:152823410003  
PARCEL AREA: 0.11  
ACRES  
USE: SINGLE FAMILY  
DWELLING,  
PLATTED LOT  
PRIMARY OWNER 1:  
HARRY L HUGHLEY  
SITE ADDRESS: 1116  
MONTREAL AVE  
ST PAUL MN  
55116-2336

**44**

PARCEL 44  
PID:152823410002  
PARCEL AREA: 0.11  
ACRES  
USE: SINGLE FAMILY  
DWELLING, PLATTED  
LOT  
PRIMARY OWNER 1:  
CONNIE WEBER  
SITE ADDRESS: 1112  
MONTREAL AVE  
SAINT PAUL MN  
55116-2336

**21**

PARCEL 21  
PID:152823410001  
PARCEL AREA: 0.11  
ACRES  
USE: SINGLE FAMILY  
DWELLING, PLATTED  
LOT  
PRIMARY OWNER 1:  
CHENDA CHHAY  
SITE ADDRESS: 1108  
MONTREAL AVE  
SAINT PAUL MN  
55116-2336

**10**

PARCEL 10  
PID:142823320003  
PARCEL AREA: 3.18 ACRES  
USE: OFFICE BUILDING, LOW RISE 1-4 STORY  
PRIMARY OWNER 1: CBC OFFICE LLC  
SITE ADDRESS: 1080 MONTREAL AVE  
SAINT PAUL MN 55116-2325

LEGEND	
	PROPOSED PERMANENT EASEMENT
	PROPOSED TEMPORARY EASEMENT
	EXISTING ROW
	PARCEL LINES
	PROPOSED RIGHT OF WAY
	PROPOSED TEMPORARY EASEMENT
	PROPOSED CONSTRUCTION LIMITS

PLOT DATE: Nov 23, 2021 - 8:27am  
FILENAME: K:\n-z\Ramsey\1800700004\_Production\01\_CAD\02\_Sheets\ROW\_PLAIN.dwg

NO.	DATE	BY	DESCRIPTION OF REVISIONS

DESIGNED: LPP  
DRAWN: SPB  
CHECKED: KMP

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: [Signature]  
DATE: 1/31/2022  
LICENSE NO.: 41003

444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

**LEXINGTON PARKWAY  
REALIGNMENT- PHASE 2**

S.P. 062-651-067 S.A.P. 164-020-161

**ROW PLAN**