

**RAMSEY COUNTY  
COOPERATIVE AGREEMENT  
WITH THE CITY OF SAINT PAUL FOR  
Right of Way Acquisition for County State Aid Highway 51 (Lexington Parkway)  
From Adrian Street to Albion Street  
County State Aid Project 062-651-055  
Municipal State Aid Project 164-020-152**

**Total Estimated Right of Way Acquisition Cost: \$2,074,653.30**  
**City of Saint Paul Estimated Cost: \$1,223,973.90**

**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 related to construction of County State Aid Highway (CSAH) 51 (Lexington Parkway) realignment from Adrian Street to Albion Avenue ("Project").

WHEREAS, the City of Saint Paul (City) and Ramsey County (County) desire to realign Lexington Parkway between Albion Street and West 7<sup>th</sup> Street and make certain improvements associated with said realignment; and

WHEREAS, the Project is identified in Ramsey County's 2019 – 2023 Transportation Improvement Program, and

WHEREAS, Lexington Parkway, in the area affected by construction, is designated County State Aid Highway 51 and is in the City; and

WHEREAS, West 7<sup>th</sup> Street, in the area affected by construction, is designated Minnesota Trunk Highway 5, and is in the City; and

WHEREAS, the realignment 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, off-system Municipal State Aid System ("MSAS") funds, and

WHEREAS, the Project has been designated as County Stat Aid Project 062-651-055 and Municipal State Aid Project 164-020-152, a

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 2017 – 2021 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, with the exception of Parcel 7 (Highland Nursery) for which payment to owner and relocation assistance will be shared 30% by the County and 70% 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 the cost to administer ROW acquisition.

4. Payment Schedule

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

4.2. Payment will be made within 30 days of receipt of an invoice.

5. ROW acquired under this Agreement will be owned and maintained by the County. Upon Project completion ROW acquired for Adrian Street will be conveyed to the City, at no additional cost to the City, to be owned and maintained by the City.

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

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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: \_\_\_\_\_

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

Its: \_\_\_\_\_

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: \_\_\_\_\_

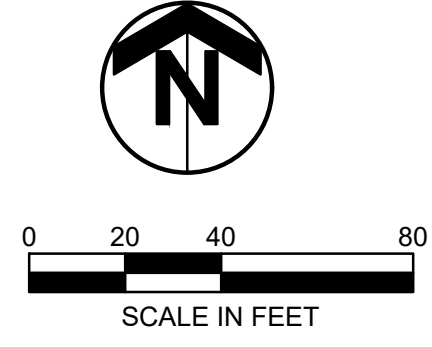
## Attachment A

**Lexington Parkway Realignment - ROW Estimate**

<b>Project Parcel #</b>	<b>PID</b>	<b>Address</b>	<b>Property Type</b>	<b>TE (SF)</b>	<b>PE (SF)</b>
1	152823140030	848 Albion Avenue	Condo	12,843	36,071
7*	142823230037	1742 7th Street West	Nursery	2,653	13,237
8	142823230038	1061 Montreal Avenue	Apt	1,380	0
9	14282323002	1085 Montreal Avenue	Apt	3,705	0
22	152823140029	1101 Montreal Avenue	SF	403	0
23	152823140067	1780 7th Street West	Comm	708	537
25	152823140084	1804 7th Street West	Comm	159	44
27	152823410186	1848 7th Street West	SF	463	0
28	152823420069	1820 Edgcumbe Road	Park	7,918	0
32	152823140011	885 Lexington Parkway South	SF	751	0
33	152823140010	879 Lexington Parkway South	SF	501	0
34	152823140009	875 Lexington Parkway South	SF	501	0
35	152823140008	871 Lexington Parkway South	SF	501	0
36	152823140007	865 Lexington Parkway South	SF	501	0
37	152823140006	859 Lexington Parkway South	SF	502	0
38	152823140002	855 Lexington Parkway South	SF	671	0
39	152823140072	0 Deer Park	TH	888	0
<b>TOTAL</b>				<b>35,048</b>	<b>49,889</b>

<b>EASEMENT EXPENSE ESTIMATE</b>	<b>\$ 1,599,453.30</b>
<b>RELOCATION EXPENSE ESTIMATE</b>	<b>\$ 400,000.00</b>
<b>APPRAISAL EXPENSE</b>	<b>\$ 31,900.00</b>
<b>ACQUISITION CONSULTANT EXPENSE</b>	<b>\$ 43,300.00</b>
<b>TOTAL ROW ACQUISITION ESTIMATE</b>	<b>\$ 2,074,653.30</b>

<b>Subtotal</b>	<b>50% City</b>	<b>\$ 570,708.55</b>	
<b>Subtotal</b>	<b>50% County</b>		<b>\$ 570,708.55</b>
<b>*Subtotal</b>	<b>70% City</b>	<b>\$ 653,265.34</b>	
<b>*Subtotal</b>	<b>30% County</b>		<b>\$ 279,970.86</b>
<b>Grand Total</b>	<b>City</b>	<b>\$ 1,223,973.90</b>	
<b>Grand Total</b>	<b>County</b>		<b>\$ 850,679.41</b>



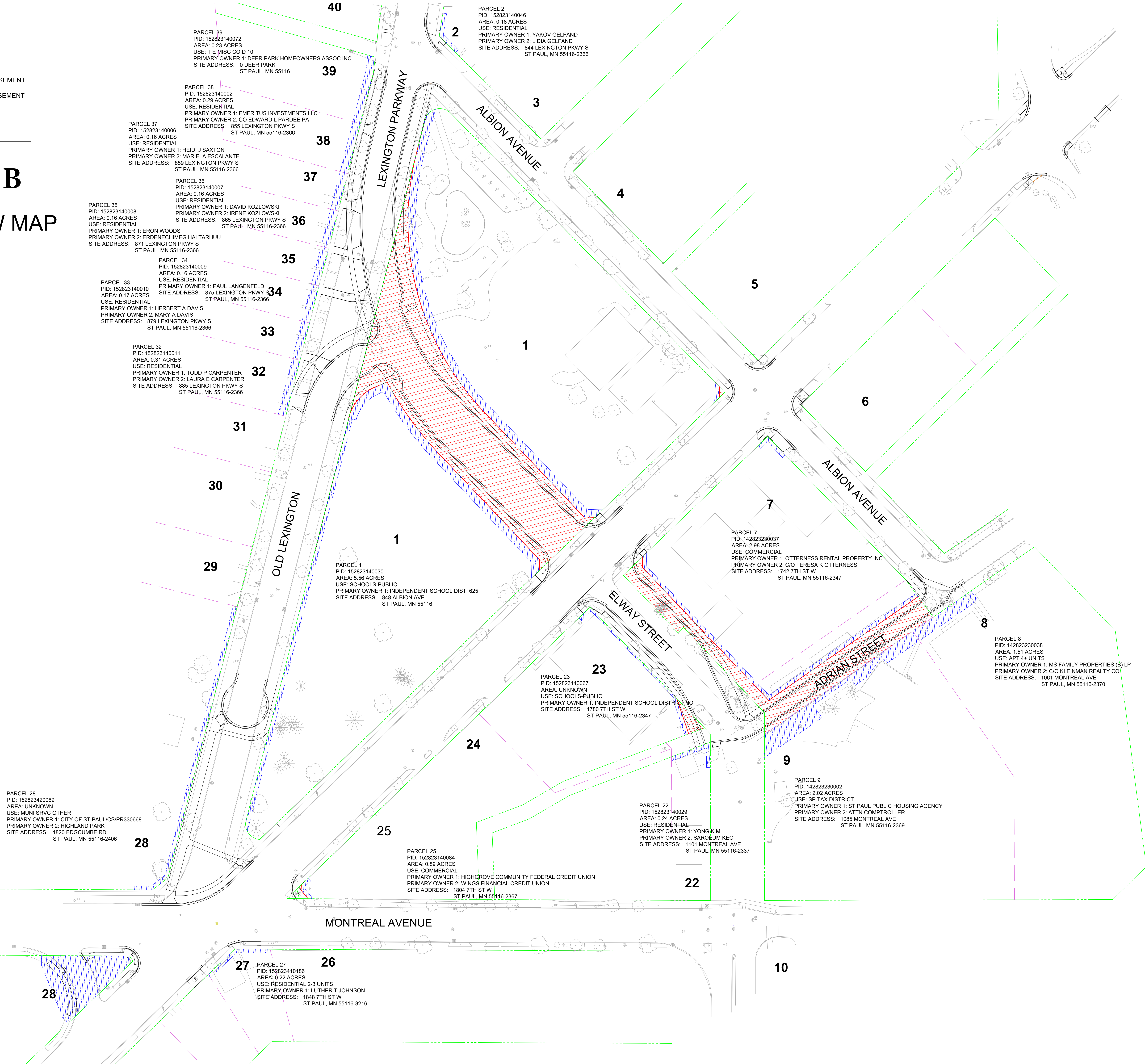
**LEGEND**

- TEMPORARY EASEMENT
- PERMANENT EASEMENT
- EXISTING ROW
- PARCEL LINES

# Exhibit B

## DRAFT ROW MAP

### 1-24-2019



PARCEL 39  
PID: 152823140072  
AREA: 0.23 ACRES  
USE: T E MISC CO D 10  
PRIMARY OWNER 1: DEER PARK HOMEOWNERS ASSOC INC  
SITE ADDRESS: 0 DEER PARK ST PAUL, MN 55116

PARCEL 2  
PID: 152823140046  
AREA: 0.18 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: YAKOV GELFAND  
PRIMARY OWNER 2: LIDIA GELFAND  
SITE ADDRESS: 844 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 38  
PID: 152823140002  
AREA: 0.29 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: EMERITUS INVESTMENTS LLC  
PRIMARY OWNER 2: CO EDWARD L PARDEE PA  
SITE ADDRESS: 855 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 37  
PID: 152823140008  
AREA: 0.16 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: HEIDI J SAXTON  
PRIMARY OWNER 2: MARIELA ESCALANTE  
SITE ADDRESS: 859 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 36  
PID: 152823140007  
AREA: 0.16 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: DAVID KOZLOWSKI  
PRIMARY OWNER 2: IRENE KOZLOWSKI  
SITE ADDRESS: 865 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 35  
PID: 152823140008  
AREA: 0.16 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: ERON WOODS  
PRIMARY OWNER 2: ERDENECHIMEG HALTARHUU  
SITE ADDRESS: 871 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 34  
PID: 152823140009  
AREA: 0.16 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: PAUL LANGENFELD  
SITE ADDRESS: 875 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 33  
PID: 152823140010  
AREA: 0.17 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: HERBERT A DAVIS  
PRIMARY OWNER 2: MARY A DAVIS  
SITE ADDRESS: 879 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 32  
PID: 152823140011  
AREA: 0.31 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: TODD P CARPENTER  
PRIMARY OWNER 2: LAURA E CARPENTER  
SITE ADDRESS: 885 LEXINGTON PKWY S ST PAUL, MN 55116-2366

PARCEL 31

PARCEL 30

PARCEL 29

PARCEL 1  
PID: 152823140030  
AREA: 5.56 ACRES  
USE: SCHOOLS-PUBLIC  
PRIMARY OWNER 1: INDEPENDENT SCHOOL DIST. 625  
SITE ADDRESS: 848 ALBION AVE ST PAUL, MN 55116

PARCEL 7  
PID: 142823230037  
AREA: 2.98 ACRES  
USE: COMMERCIAL  
PRIMARY OWNER 1: OTTERNESS RENTAL PROPERTY INC  
PRIMARY OWNER 2: C/O TERESA K OTTERNESS  
SITE ADDRESS: 1742 7TH ST W ST PAUL, MN 55116-2347

PARCEL 8  
PID: 142823230038  
AREA: 1.51 ACRES  
USE: APT 4+ UNITS  
PRIMARY OWNER 1: MS FAMILY PROPERTIES (B) LP  
PRIMARY OWNER 2: C/O KLEINMAN REALTY CO  
SITE ADDRESS: 1061 MONTREAL AVE ST PAUL, MN 55116-2370

PARCEL 23  
PID: 152823140067  
AREA: UNKNOWN  
USE: SCHOOLS-PUBLIC  
PRIMARY OWNER 1: INDEPENDENT SCHOOL DISTRICT NO  
SITE ADDRESS: 1780 7TH ST W ST PAUL, MN 55116-2347

PARCEL 9  
PID: 142823230002  
AREA: 2.02 ACRES  
USE: SP TAX DISTRICT  
PRIMARY OWNER 1: ST PAUL PUBLIC HOUSING AGENCY  
PRIMARY OWNER 2: ATTN COMPTROLLER  
SITE ADDRESS: 1085 MONTREAL AVE ST PAUL, MN 55116-2369

PARCEL 22  
PID: 152823140029  
AREA: 0.24 ACRES  
USE: RESIDENTIAL  
PRIMARY OWNER 1: YONG KIM  
PRIMARY OWNER 2: SAROEUM KEO  
SITE ADDRESS: 1101 MONTREAL AVE ST PAUL, MN 55116-2337

PARCEL 25  
PID: 152823140084  
AREA: 0.89 ACRES  
USE: COMMERCIAL  
PRIMARY OWNER 1: HIGHGROVE COMMUNITY FEDERAL CREDIT UNION  
PRIMARY OWNER 2: WINGS FINANCIAL CREDIT UNION  
SITE ADDRESS: 1804 7TH ST W ST PAUL, MN 55116-2367

PARCEL 28  
PID: 152823420069  
AREA: UNKNOWN  
USE: MUNI SRVC OTHER  
PRIMARY OWNER 1: CITY OF ST PAUL/CS/PR330668  
PRIMARY OWNER 2: HIGHLAND PARK  
SITE ADDRESS: 1820 EDGCLUMBE RD ST PAUL, MN 55116-2408

PARCEL 27  
PID: 152823410186  
AREA: 0.22 ACRES  
USE: RESIDENTIAL 2-3 UNITS  
PRIMARY OWNER 1: LUTHER T JOHNSON  
SITE ADDRESS: 1848 7TH ST W ST PAUL, MN 55116-3216

PARCEL 28