

## **FIFTEENTH RIDER TO AGREEMENT**

**THIS AGREEMENT**, made this 11th day of September, 2018, by and between the **BOARD OF WATER COMMISSIONERS OF THE CITY OF SAINT PAUL** ("Board"), and the **RAMSEY COUNTY BOARD OF COMMISSIONERS**, ("County"), being the Fifteenth Rider to that certain Agreement made by and between the Board and the County the 6th day of June, 1966, and by this reference incorporated herein and made part hereof and with the same intent, purpose, and effect as if said Agreement were set forth herein verbatim.

**WHEREAS**, the Board is owner of parcels of land along the southeast shoreline of Black Tern Pond located in the South half of the SW quarter of Section 31, Township 30 North, Range 22 West, Ramsey County, Minnesota, the "Premises"; and

**WHEREAS**, the County desires to enter upon certain portions of said Premises to make surface grade modifications; and

**WHEREAS**, the Board is willing to grant said permission to the County consistent with the requirements and safety of the works of the Board.

**NOW, THEREFORE, BE IT AGREED**, in consideration of the mutual promises and agreements of the parties hereto, that subject to all terms and conditions contained in said Agreement between the parties hereto made and entered into the 6th day of June 1966, the Board hereby grants to the County permission to enter upon portions of said Premises and to there within install, maintain, and carry out all Board approved operations in respect to the following and as indicated in Exhibit A, attached hereto and incorporated herein by reference:

**1. Permitted Activity**

Perform surface grade modifications along the southeasterly shoreline of Black Tern Pond to mitigate floodplain fill caused by the construction of the Country Drive Connection roadway, as shown on attached Exhibit A, and in accordance with Ramsey County Project S.P. 6284-158, as approved by Saint Paul Regional Water Services (SPRWS), incorporated herein by reference, copies of which are retained on file at the offices of the Board and County.

**2. Conditions**

All work shall be performed in accordance with good engineering practices and in accordance with Exhibit A, attached hereto and incorporated herein, subject to approval by Board's Vadnais Supervisor.

**3. Notification**

County or County's contractor shall notify Board's Vadnais Supervisor at least 48 hours in advance of permitted activity to schedule inspection and coordination of work. Board's Vadnais Supervisor may be reached between the hours of 8:00 a.m. and 4:00 p.m. at 651-766-4150.

**4. Insurance**

Pursuant to Section 29 of the June 6, 1966 Agreement, County's contractor shall provide a certificate of insurance naming the Board of Water Commissioners and the City of St. Paul as additional insureds with respect to general liability and automobile insurance. Work shall not commence prior to Board approval of said certificate.

Section 29 of the June 6, 1966 Agreement is hereby amended to require public liability insurance in minimum amounts of \$500,000 for bodily injury or death to one person and \$1,500,000 per accident, and \$1,500,000 for damages to or destruction of any property.

This section shall not apply when work is performed by County's forces; rather, the provisions of Chapter 466, Minnesota Statutes shall apply to work performed by County and/or its employees.

This Agreement is made and executed pursuant to and under the authority of resolution number \_\_\_\_\_ adopted by the Board of Water Commissioners of the City of Saint Paul on the 11th day of September, 2018, a copy of said Resolution being annexed hereto and by this reference incorporated herein and made a part hereof the same as if set forth verbatim.

**IN WITNESS WHEREOF**, the parties hereto have executed these presents in triplicate  
the day and year first above written.

Approved:

Recommended by:

\_\_\_\_\_  
Stephen P. Schneider, General Manager  
Saint Paul Regional Water Services

\_\_\_\_\_  
Ted Schoenecker  
Ramsey County Director of Public Works

Approved as to form:

Approved as to form:

\_\_\_\_\_  
Lisa Veith, Assistant City Attorney

\_\_\_\_\_  
James A. Mogen, Assistant County Attorney

**BOARD OF WATER COMMISSIONERS  
OF THE CITY OF SAINT PAUL**

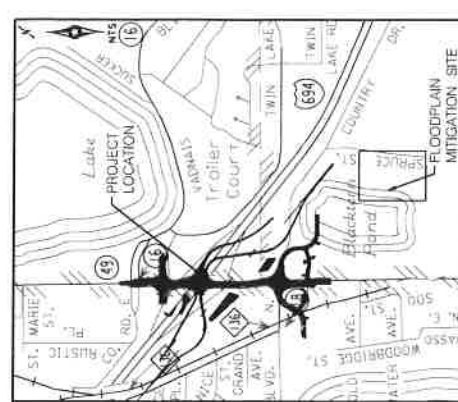
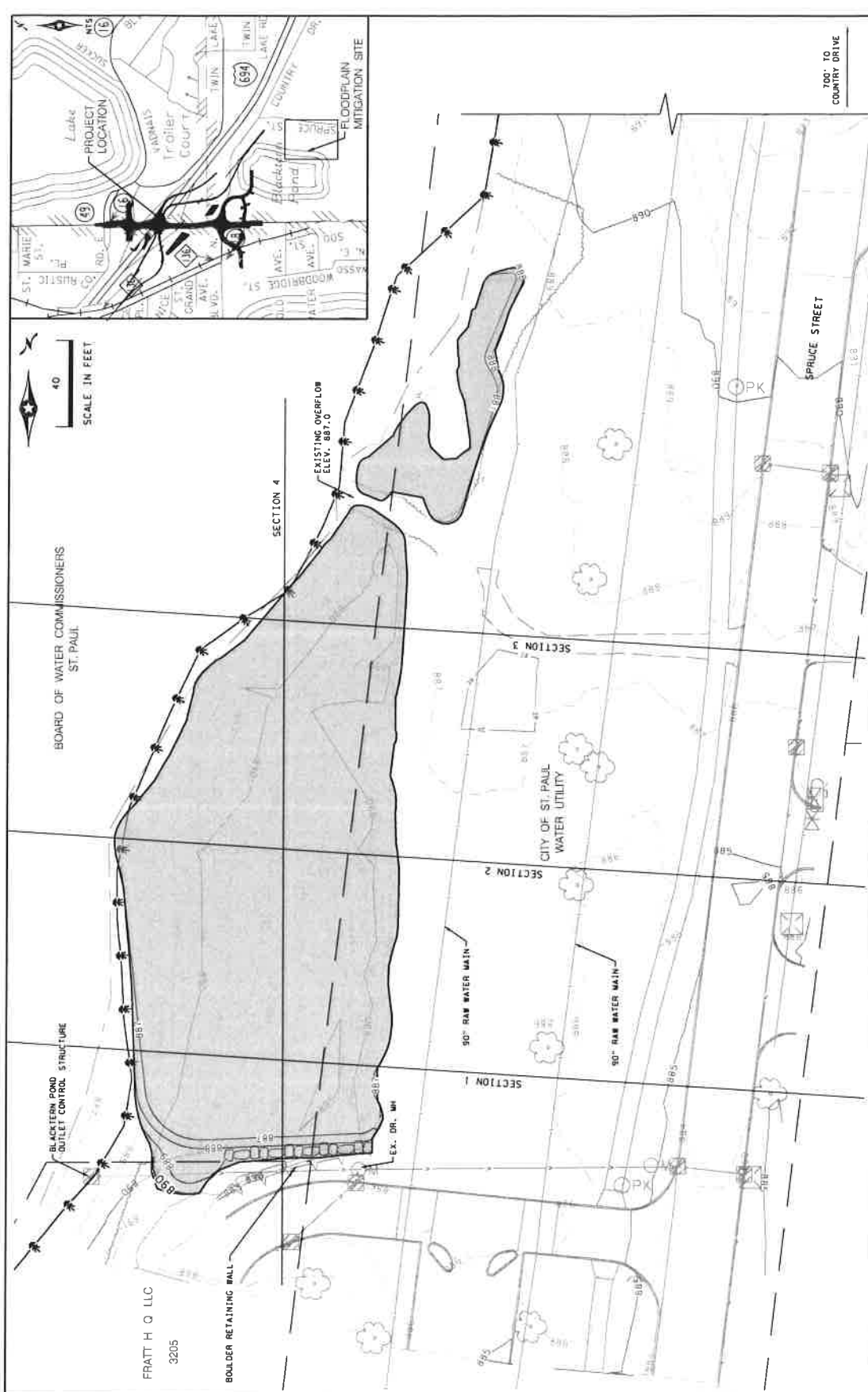
**RAMSEY COUNTY BOARD OF  
COUNTY COMMISSIONERS**

By \_\_\_\_\_  
Matt Anfang, President

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

By \_\_\_\_\_  
Mollie Gagnelius, Secretary

By \_\_\_\_\_  
Todd Hurley, Director  
Office of Financial Service

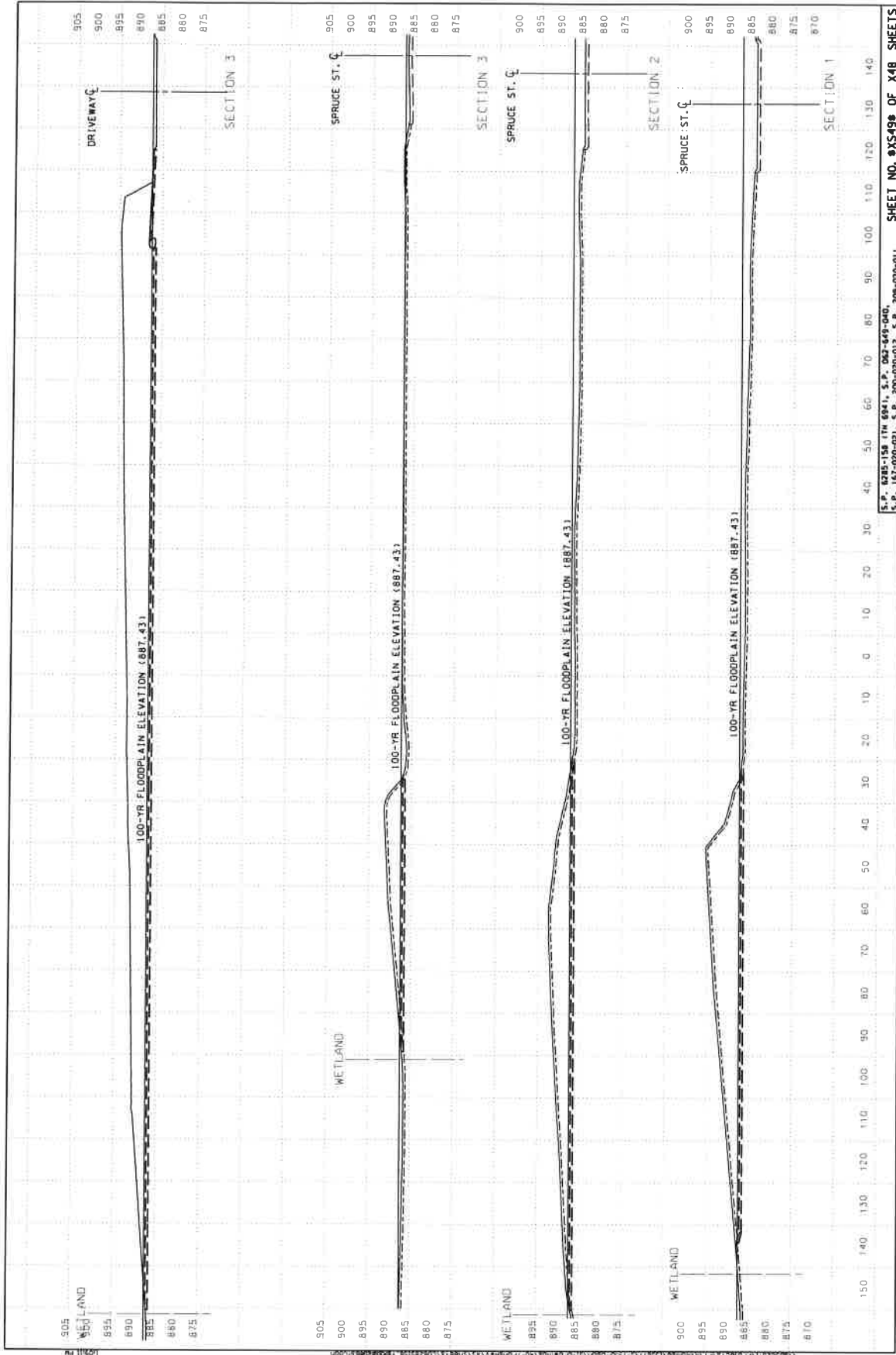


BOARD OF WATER COMMISSIONERS  
ST. PAUL

SCALE IN FEET  
40

DESIGN TEAM	DATE	REVISIONS	SEH	T.H. 694 / C.S.A.H. 49	CONTOUR AND GRADING PLAN	255
DRAWN BY: JCL				STATE PROJECT NO. 6285-19-000-000-000	FLOODPLAIN MITIGATION FOR GRADING	312
CHECKED BY: JEP				S.P. 167-020-001, S.P. 200-020-012, S.P. 205-020-011		
				RAMSEY COUNTY, MN.		
				100' NORTH QUARTER 34 31' 10" 1/2" 1/2" 1/2" 1/2"		
				PROJECT NUMBER: 10000000000000000000		
				DATE: 5/21/2018		

EXHIBIT A



S.P. 6285-158 TH 6841, S.P. 062-449-040,  
S.P. 167-000-021, S.P. 200-028-012, S.P. 209-020-011

SHEET NO. 9XS496 OF X48 SHEETS

EXHIBIT A

