



## Legislation Text

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**File #:** RES 13-614, **Version:** 1

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Authorizing the City of Saint Paul to apply for and execute a Limited Use Permit with the State of Minnesota Department of Transportation (MnDOT) for a regional trail within MnDOT owned property near Interstate 35E and Cayuga Avenue to install a segment of trail, a stream channel, and wetlands, as part of MN State aid project SP164-090-013 (Trout Brook Regional Trail) and the Trout Brook (Trillium) Nature Sanctuary project.

WHEREAS, the City Council of the City of Saint Paul has approved the Trout Brook Regional Trail Master Plan (Res 09-1301) to construct a regional trail and associated improvements with the Trout Brook (Trillium) Nature Sanctuary project; and

WHEREAS, the City and MnDOT have previously entered into an agreement (#82121) on the development of the Trout Brook (Trillium) site; and

WHEREAS, MnDOT requires a Limited Use Permit for the construction and use of said regional trail and associated Nature Sanctuary improvements; and

WHEREAS, the City will be required to indemnify the State of Minnesota, its Commissioner of Transportation, employees, and its successors, and assigns as set forth in the permit; and

WHEREAS, the expenditure of money through the promise of indemnification requires the Council to make a finding of public purpose; and

WHEREAS, the development and installation of the Trout Brook Regional Trail and Trout Brook (Trillium) Nature Sanctuary will provide direct public benefit with the addition of outdoor recreation, multi-modal transit, exercise and leisure activities, and the restoration of native plant ecology and wildlife habitat; and

WHEREAS, MnDOT requires a City Council resolution to apply for the Limited Use Permit;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the appropriate city officials to apply for and execute the Limited Use Permit with MnDOT, which contains an indemnification provision, for the following purposes:

Construct, operate, and maintain a multi-use regional trail, stream channel, wetlands, and associated landscaping as part of the Trout Brook Regional Trail and Trout Brook (Trillium) Nature Sanctuary projects in accordance with the Limited Use Permit granted by MnDOT.