

June 21, 2022

Mr. Jason Anderson
Director of Public Works
City Hall
344 West Main Street
Marshall MN, 56258

Subject: Limited Use Permit on State Highway Right of Way
C.S. 4203 (T.H. 23)
Permittee: City of Marshall
LUP # 4203-0010
Expiration Date: 10/15/2032

Dear Mr. Anderson:

The Limited Use Permit (“LUP”) by and between the State of Minnesota, Department of Transportation (“MnDOT”) and City of Marshall [“Permittee”] for the trail known as the North Bike and Pedestrian Trail Improvements Project is scheduled for review and possible ten (10) year extension of the term. Such LUP does not have a natural expiration date; however, MnDOT is updating its Limited Use Permit form, which new form includes an expiration date.

If the City of Marshall desires to continue the use of the permitted area of MnDOT Right of Way MnDOT may consider a ten (10) year renewal of the LUP upon request of the Permittee provided:

1. The renewal term commences immediately upon the expiration of LUP # 4203-0002.
2. The Facility is compliant with the ADA and any repairs will be completed within nine (9) months of the commencement of the renewal term.
3. The Permittee has complied with all the conditions, provisions, and obligations of the existing LUP. It is the City of Marshall’s responsibility to ensure the trails are operated and maintained in compliance with the terms and conditions of the LUP.
4. Not later than October 15, 2022, the City of Marshall delivers to MnDOT a written request to renew the LUP; and
5. Permittee agrees to execute a new LUP, in the form substantially the same as the attached LUP #4203-0010 and provides a certified copy of the resolution authorizing the renewal term.

If MnDOT does not receive a written request to renew the Limited Use Permit as provided above, the LUP will expire on October 15, 2022, and shall be null and void and of no further force and effect, and the improvements must be removed.

If you have any questions or concerns, please contact me at: 320-214-6355 or ryan.jaeger@state.mn.us

Sincerely,

Ryan Jaeger
Land Management – MnDOT District 8 Willmar

Enclosures: Limited Use Permit # 4203-0010

c: District RW Supervisor, Pat Jaeger
Maintenance Engineer/Area Permit Office, Corey Kack