

Municipal Consent

SP 4204-40

City of Marshall

July 13, 2021

Municipal consent submittal letter

SP 4204-40 Layout 1A - Separate file (Signed copy to be hand delivered)

State Statues 161.162 through 161.167

Project schedule

Current Cost Estimate

Sample Resolution for Municipal Consent

Sample Resolution to Waive Municipal Consent

Municipal Consent procedure - Separate file

July 6, 2021

Robert J. Byrnes  
Mayor  
City of Marshall  
344 West Main Street  
Marshall, MN 5658

RE: Request for City Approval (Municipal Consent) of the Final Layout for SP 4204-40

Dear Mayor Byrnes

MnDOT is proceeding with plans to complete State Project 4204-40, Reconstruction of Hwy 19 from 4<sup>th</sup> Street to Bruce Street. In accordance with Minnesota Statute 161.164, I am submitting for City approval the project's Final Layout, identified as Layout No. 1A, S.P. 4204-40.

The City's approval (municipal consent) is required for this project because it alters access (Many access will be closed and /or altered to right in right out), requires acquisition of permanent rights of way (permanent right of way will be obtained to bring city alleys to city access standards). Municipal consent of MnDOT projects is described in Minnesota Statutes 161.162 through 161.167 (attached).

Approval or disapproval of the final layout is by resolution of the City Council. (A sample resolution is attached). However, if the City neither approves nor disapproves the final layout within 90 days of the public hearing, the layout is deemed approved (per MN Statute 161.164).

The deadlines (per MN Statute 161.164) for the City's responsibilities regarding municipal consent of the attached layout are as follows, based on a submittal date of the final layout to the City of [7/13/2021]:

- Within 15 days of receiving the final layout, schedule a public hearing (by 7/28/2021).
- Within 60 days of receiving the final layout, conduct the public hearing (by 9/11/2021).
- Provide at least 30-days' notice of the public hearing.
- Within 90 days of the public hearing, approve or disapprove the layout by resolution (by 12/10/2021).

MnDOT will attend the public hearing to present the final layout and answer questions, as required by statute.

**Project Purpose**

This project has a deteriorated pavement, indicated by a sub-standard Ride Quality Index (RQI) rating. The RQI rating is projected to continue to decline. This project also has pedestrian access facilities, ramps and sidewalks that do not meet the Americans with Disabilities Act (ADA) standards. This project also has aging underground city utilities; sewer and water mains that are in poor condition.

The purpose of this project is to:

- A) Improve the RQI on this project which will help the entire Highway System achieve the Pavement Performance Targets, and to improve pavement structural integrity and reduce maintenance costs.
- B) Upgrade the pedestrian ramps/sidewalk to meet ADA standards
- C) Facilitate replacement of the deteriorating underground utilities.

**Project Description**

SP 4204-40 will be a full reconstruction of Trunk Highway (TH) 19 from 4th Street to approximately 134' west of Bruce Street in Marshall, MN. The project will include but not limited to Concrete Paving, a Roundabout at the intersection of Hwy 19, Country Club Drive, and South 2nd Street, new Signals at Saratoga Street and Main Street (TH 59), Rectangular Rapid Flashing Beacons (RRFB), Bridge approach panel work at Bridge No. 5083, Lighting, Storm Sewer, City utilities (Sanitary and Water), and some additional sidewalk and pedestrian curb ramps from Marlene Street to 4th Street and at Bruce Street.

**Planned Project Schedule**

SP 4204-40 is planned to be let on November 22, 2024, Construction is to begin the spring of 2025 and is anticipated to take up to two construction seasons to complete all work, there will be detours and staged construction.

**City's Estimated Project Costs**

Some project costs are the City's responsibility, as detailed in MnDOT's cost participation policy. (See the policy and the *Cost Participation and Maintenance with Local Units of Government Manual* at MnDOT's this website: <http://www.dot.state.mn.us/policy/financial/fm011.html>).

Attached is MnDOT's current estimate of the City's costs for S.P. 4204-40. It also shows MnDOT's estimated costs.

As shown on the attached, the City of Marshall's total cost participation for SP 4204-40 is estimated to be \$3,895,661.

The alleys between West Lyon and West Marshall streets will require additional Right of Way (R/W) to be built to city standards. It is the intent for MnDOT to obtain the R/W to construct the alleys to standard and then turn back to the city.

**City's Maintenance Responsibilities**

The City of Marshall will also be responsible for the following:

- Approach legs to the intersections to the outside edge of the shoulder line or outer radius of roundabouts.
- Removal of snow from parking lanes.
- Responsible for maintenance of Parking- related markings installed on MnDOT roadways.
- Routine maintenance of all sidewalks and shared use paths, including but not limited to patching, snow and ice control/removal, sweeping, debris removal, vegetation control, signs, and pavement markings.

MnDOT will be responsible for the following:

- Maintenance activities associated with all trunk highway roadway and shoulder items.
- Non-routine storm sewer system maintenance is defined as removal of sediment from the pipes, replacement, reconstruction, rehabilitation, or improvement of portions of storm water drainage infrastructure such as castings, manhole or catch basin structures, and pipe segments or aprons, including rip-rap.

Please feel free to contact me if you have any questions about this submittal.

Sincerely,

*Jesse Vlaminc /s/*

Jesse Vlaminc  
Project Manager  
MnDOT District 8  
2505 Transportation Road  
Willmar, MN 56201  
320-212-0206  
[jesse.vlaminck@state.mn.us](mailto:jesse.vlaminck@state.mn.us)

Attachments:

Final Layout for SP 4204-40, dated 6/30/2021  
MN Statutes 161.162 – 161.167  
Estimated Project Costs  
Project Schedule  
Sample City Resolution  
Sample City Waiver Resolution

cc:

Sharon Hanson – Marshall City Administrator  
Jason Anderson – Marshall City Engineer

**161.162 DEFINITIONS.**

Subdivision 1. **Applicability.** The terms in sections 161.162 to 161.167 have the meanings given them in this section and section 160.02.

Subd. 2. **Final layout.** (a) "Final layout" means geometric layouts and supplemental drawings that show the location, character, dimensions, access, and explanatory information about the highway construction or improvement work being proposed. "Final layout" includes, where applicable, traffic lanes, shoulders, trails, intersections, signals, bridges, approximate right-of-way limits, existing ground line and proposed grade line of the highway, turn lanes, access points and closures, sidewalks, proposed design speed, noise walls, transit considerations, auxiliary lanes, interchange locations, interchange types, sensitive areas, existing right-of-way, traffic volume and turning movements, location of storm water drainage, location of municipal utilities, project schedule and estimated cost, and the name of the project manager.

(b) "Final layout" does not include a cost participation agreement. For purposes of this subdivision "cost participation agreement" means a document signed by the commissioner and the governing body of a municipality that states the costs of a highway construction project that will be paid by the municipality.

Subd. 3. **Final construction plan.** "Final construction plan" means the set of technical drawings for the construction or improvement of a trunk highway provided to contractors for bids.

Subd. 4. **Governing body.** "Governing body" means the elected council of a municipality.

Subd. 5. **Municipality.** "Municipality" means a statutory or home rule charter city.

**History:** 2001 c 191 s 3; 2002 c 364 s 3

**161.163 HIGHWAY PROJECT REVIEW.**

Subdivision 1. **Projects requiring review.** Sections 161.162 to 161.167 apply only to projects that alter access, increase or reduce highway traffic capacity, or require acquisition of permanent rights-of-way.

Subd. 2. **Traffic safety measures.** Nothing contained in sections 161.162 to 161.167 limits the power of the commissioner to regulate traffic or install traffic-control devices or other safety measures on trunk highways located within municipalities regardless of their impact on access or traffic capacity or on the need for additional right-of-way.

Subd. 3. **Construction program.** Nothing contained in sections 161.162 to 161.167 limits the commissioner's discretion to determine priority and programming of trunk highway projects.

**History:** 2001 c 191 s 4

**161.164 FINAL LAYOUT APPROVAL PROCESS.**

Subdivision 1. **Submission of final layout.** Before proceeding with the construction, reconstruction, or improvement of any route on the trunk highway system lying within any municipality, the commissioner shall submit to its governing body a final layout and project report covering the purpose, route location, and proposed design of the highway. The final layout must be submitted as part of a report containing any supporting data that the commissioner deems helpful to the governing body in reviewing the final layout submitted. The supporting data must include a good-faith cost estimate of all the costs in which the governing body is expected to participate. The final layout must be submitted before final decisions are reached so that meaningful early input can be obtained from the municipality.

Subd. 2. **Governing body action.** (a) Within 15 days of receiving a final layout from the commissioner, the governing body shall schedule a public hearing on the final layout. The governing body shall, within 60 days of receiving a final layout from the commissioner, conduct a public hearing at which the Department of Transportation shall present the final layout for the project. The governing body shall give at least 30 days' notice of the public hearing.

(b) Within 90 days from the date of the public hearing, the governing body shall approve or disapprove the final layout in writing, as follows:

(1) If the governing body approves the final layout or does not disapprove the final layout in writing within 90 days, in which case the final layout is deemed to be approved, the commissioner may continue the project development.

(2) If the final construction plans contain changes in access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the governing body, the commissioner shall resubmit the portion of the final construction plans where changes were made to the governing body. The governing body must approve or disapprove the changes, in writing, within 60 days from the date the commissioner submits them.

(3) If the governing body disapproves the final layout, the commissioner may make modifications requested by the municipality, decide not to proceed with the project, or refer the final layout to an appeal board. The appeal board shall consist of one member appointed by the commissioner, one member appointed by the governing body, and a third member agreed upon by both the commissioner and the governing body. If the commissioner and the governing body cannot agree upon the third member, the chief justice of the supreme court shall appoint a third member within 14 days of the request of the commissioner to appoint the third member.

Subd. 3. **Appeal board.** Within 30 days after referral of the final layout, the appeal board shall hold a hearing at which the commissioner and the governing body may present the case for or against approval of the final layout referred. Not later than 60 days after the hearing, the appeal board shall recommend approval, recommend approval with modifications, or recommend disapproval of the final layout, making additional recommendations consistent with state and federal requirements as it deems appropriate. It shall submit a written report containing its findings and recommendations to the commissioner and the governing body.

**History:** 2001 c 191 s 5



**161.165 COMMISSIONER ACTION; INTERSTATE HIGHWAYS.**

Subdivision 1. **Applicability.** This section applies to interstate highways.

Subd. 2. **Action on approved final layout.** (a) If the appeal board recommends approval of the final layout or does not submit its findings and recommendations within 60 days of the hearing, in which case the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project.

(b) If the final construction plans change access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 3. **Action on final layout approved with changes.** (a) If, within 60 days, the appeal board recommends approval of the final layout with modifications, the commissioner may:

(1) prepare final construction plans with the recommended modifications, notify the governing body, and proceed with the project;

(2) decide not to proceed with the project; or

(3) prepare final construction plans substantially similar to the final layout referred to the appeal board, and proceed with the project. The commissioner shall, before proceeding with the project, file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 4. **Action on disapproved final layout.** (a) If, within 60 days, the appeal board recommends disapproval of the final layout, the commissioner may either:

(1) decide not to proceed with the project; or

(2) prepare final construction plans substantially similar to the final layout referred to the appeal board, notify the governing body and the appeal board, and proceed with the project. Before proceeding with the project, the commissioner shall file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 5. **Final construction plans issued.** The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

**History:** 2001 c 191 s 6

**161.166 COMMISSIONER ACTION; OTHER HIGHWAYS.**

Subdivision 1. **Applicability.** This section applies to trunk highways that are not interstate highways.

Subd. 2. **Action on approved final layout.** If the appeal board recommends approval of the final layout or does not submit its findings or recommendations within 60 days of the hearing, in which case the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project. If the final construction plans change access or traffic capacity or require additional acquisition of right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plan that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 3. **Action on final layout approved with changes.** (a) If the appeal board approves the final layout with modifications, the commissioner may:

(1) prepare final construction plans including the modifications, notify the governing body, and proceed with the project;

(2) decide not to proceed with the project; or

(3) prepare a new final layout and resubmit it to the governing body for approval or disapproval under section 161.164, subdivision 2.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 4. **Action on disapproved final layout.** If the appeal board disapproves the final layout, the commissioner may:

(1) decide not to proceed with the project; or

(2) prepare a new final layout and submit it to the governing body for approval or disapproval under section 161.164, subdivision 2.

Subd. 5. **Final construction plans issued.** The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

**History:** 2001 c 191 s 7; 2020 c 83 art 1 s 51

**161.167 REIMBURSEMENT OF EXPENSES.**

Members of the appeal board shall submit to the commissioner an itemized list of the expenses incurred in disposing of matters presented to them. The appeal board members shall be reimbursed for all reasonable expenses incurred by them in the performance of their duties. The commissioner shall pay these costs out of the trunk highway fund.

**History:** 2001 c 191 s 8

## Project Schedule – 4204-40

Begin Detailed Design Phase	January 2022
Final ADA Field Walk Recommendations	March 2022
Preliminary Construction Limits Map	August 2022
Final Construction Limits Map	November 2022
15% Detailed Design/ADA Detailed Design Submittal	November 2022
30% Detailed Design/ADA Detailed Design Submittal	March 2023
60% Detailed Design/ADA Detailed Design Submittal	August 2023
90% Detailed Design/ADA Detailed Design Submittal	January 2023
100% Detailed Design/ADA Detailed Design Submittal	July 2024
Project Letting	November 2024
Begin Construction	Spring 2025

Construction Cost Estimate

MARSHALL -TH 19 TOTAL PROJECT COSTS					MNDOT TOTALS		CITY TOTALS	
Item Description	Units	Unit Cost	Quantity	Total	Quantity	Total	Quantity	Total
<b>PAVING AND GRADING (P &amp; G) COSTS</b>								
Bituminous Pavement (1)	ton	\$100.00	0	\$ -	166	\$ 16,600	0	\$ -
4" Concrete (Walk, Median)	sq ft	\$8.50	101,446	\$ 862,291	97,410	\$ 827,985	4,036	\$ 34,306
4" Colored concrete (Walk, Median) (5)	sq ft	\$17.00	4,800	\$ 81,600	2,400	\$ 40,800	2,400	\$ 40,800
8" Concrete pavement (Truck Apron, Driveway)	sq yd	\$67.50	2,633	\$ 177,716	2,633	\$ 177,716	0	\$ -
Concrete pavement (1)	cu yd	\$67.50	37,362	\$ 2,521,932	35,902	\$ 2,423,380	1,460	\$ 98,552
Supplemental Reinf Bars	pound	\$4.00	50,000	\$ 200,000	45,000	\$ 180,000	5,000	\$ 20,000
Class 6 Aggregate Base (1)	cu yd	\$35.00	8,760	\$ 306,610	8,425	\$ 294,872	335	\$ 11,739
Subgrade Excavation (1)	cu yd	\$10.00	42,645	\$ 426,449	40,988	\$ 409,880	1,657	\$ 16,569
Common Excavation	cu yd	\$10.00	15,554	\$ 155,535	14,986	\$ 149,857	568	\$ 5,678
Common Borrow	cu yd	\$4.00	77,768	\$ 311,071	74,929	\$ 299,715	2,839	\$ 11,356
Select Granular Borrow	cu yd	\$25.00	42,645	\$ 1,066,121	40,988	\$ 1,024,700	1,657	\$ 41,422
Contaminated Materials Hauling	cu yd	\$55.00	1,000	\$ 55,000	200	\$ 11,000	800	\$ 44,000
Bridge Approach Panels	sq yd	\$250.00	155	\$ 38,750	155	\$ 38,750	0	\$ -
Curb and Gutter Design B424	lin ft	\$30.00	364	\$ 10,932	364	\$ 10,932	0	\$ -
Curb and Gutter Design B624	lin ft	\$35.00	17,218	\$ 602,630	16,341	\$ 571,939	877	\$ 30,692
<b>(a) Subtotal Paving and Grading</b>				<b>\$ 6,816,638</b>	<b>\$ 6,461,526</b>		<b>\$ 355,112</b>	
					95%		5%	
<b>UTILITIES, REMOVALS, DRAINAGE, ETC.</b>								
Removals/Clear and Grub		5.0%		\$ 338,082		\$ 320,470		\$ 17,612
Signal removal (Lyon)	each		1	\$ 15,000	0.5	\$ 7,500	0.5	\$ 7,500
City Utilities (sanitary)	lump		1	\$ 374,500		\$ -	1	\$ 374,500
City Utilities (Watermain)	lump		1	\$ 353,900		\$ -	1	\$ 353,900
Signing, Striping, Traffic Control		5.0%		\$ 338,082		\$ 320,470		\$ 17,612
Dewatering		10.0%		\$ 676,164	30%	\$ 202,849	70%	\$ 473,315
Erosion Control and Turf Establishment		3.0%		\$ 202,849		\$ 192,282		\$ 10,567
<b>(b) Subtotal Utilities, Removals, Drainage, Etc.</b>				<b>\$ 2,298,577</b>	<b>\$ 1,043,570</b>		<b>\$ 1,255,007</b>	
<b>DRAINAGE</b>								
Storm Sewer				\$ 1,511,000		\$ 1,150,000		\$ 361,000
<b>(c) Subtotal Drainage</b>				<b>\$ 1,511,000</b>	<b>\$ 1,150,000</b>		<b>\$ 361,000</b>	
<b>STRUCTURES/SIGNALS/MISC. COST</b>								
Roadway Lighting (MnDOT) (2)	each	\$7,000	12.0	\$ 84,000	8.0	\$ 56,000	4.0	\$ 28,000
Roadway Lighting (3)	each	\$3,100	17.0	\$ 52,700		\$ -	17.0	\$ 52,700
Decorative Lighting (Single Assembly) (4)	each	\$4,000	17.0	\$ 68,000		\$ -	17.0	\$ 68,000
Decorative Lighting (Double Assembly) (4)	each	\$6,400	22.0	\$ 140,800		\$ -	22.0	\$ 140,800
Decorative Lighting (intersection lighting) (4)	each	\$1,600	8.0	\$ 12,800		\$ -	8.0	\$ 12,800
Rectangular Rapid Flashing Beacon (RRFB) (Lyon)	each	\$78,000	1.0	\$ 78,000		\$ -	1.0	\$ 78,000
Signal System A (Saratoga)	each	\$250,000	1.0	\$ 250,000	0.5	\$ 125,000	0.5	\$ 125,000
Signal System B (Main)	each	\$ 250,000	1.0	\$ 250,000	1.00	\$ 250,000	0.00	\$ -
Recycle/waste receptacles	each	\$ 1,200	8.00	\$ 9,600		\$ -	8.00	\$ 9,600
Bike loops (with city logo)	each	\$ 1,400	8.00	\$ 11,200		\$ -	8.00	\$ 11,200
				\$ -		\$ -		\$ -
				\$ -		\$ -		\$ -
<b>(d) Subtotal Misc</b>				<b>\$ 957,100</b>	<b>\$ 431,000</b>		<b>\$ 526,100</b>	
<b>(a+b+c+d) Subtotal Construction</b>				<b>\$ 11,583,314</b>	<b>\$ 9,086,096</b>		<b>\$ 2,497,219</b>	
Roadway Risk & Contingency		10.0%		\$ 1,158,331		\$ 908,610		\$ 249,722
TMP		5.0%		\$ 579,166		\$ 454,305		\$ 124,861
Mobilization		5.0%		\$ 579,166		\$ 454,305		\$ 124,861
<b>(e) Subtotal Miscellaneous</b>				<b>\$ 2,316,663</b>	<b>\$ 1,817,219</b>		<b>\$ 499,444</b>	
<b>(a+b+c+d+e) Total Construction</b>				<b>\$ 13,899,977</b>	<b>\$ 10,903,315</b>		<b>\$ 2,996,662</b>	
<b>Inflation Adjusted Construction Cost for 2025 (1.14 factor)</b>				<b>\$ 15,845,974</b>	<b>\$ 12,429,779</b>		<b>\$ 3,416,195</b>	
<b>Design &amp; Construction Engineering</b>		16.0%		\$ 2,223,996		\$ 1,744,530		\$ 479,466
<b>RW Cost</b>								
				=	=	=	=	=
<b>Total RW</b>				<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>	
<b>Total Estimated Cost</b>				<b>\$ 18,069,970</b>	<b>\$ 14,174,309</b>		<b>\$ 3,895,661</b>	

Notes:

(1) Parking areas are included in the concrete pavement quantity, City will pay 10% of total parking area and MnDOT will pay 90%.

Assumed Pavement and Subcut Depths:

TH 19 driveway/ truck apron pavement	8 Concrete	Local Road pavement	5 bit
	6 Class 6		6 Class 6
	12 Subcut		12 Subcut
TH 19 concrete pavement	8 Concrete		
	6 Class 6		
	40 Subcut		
Walks and Medians	5 Concrete	* assumed equally split between 4" and 6"	
	6 Class 6		

(2) Country Club (4), Saratoga (4), Main St (4) - lights on local street City costs (4 for City and 8 for MnDOT)

(3) based on estimate from city in 10/6/2020 email

(4) based on estimate from city in 10/2/2020 email

(5) MnDOT to cover cost of regular concrete, City to cover cost of colored (2x the cost of regular)

(6) Assumed 20% MnDOT cost and 80% City; quantity based on similar project amount

(7) Includes Block 11 costs under City costs - see storm summary for cost breakdown

**RESOLUTION NO. \_\_\_\_\_**  
**Resolution for Layout Approval**

At a Meeting of the City Council of the City of \_\_\_\_\_, held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, the following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ to wit:

WHEREAS, the Commissioner of Transportation has prepared a final layout for State Project 4204-40 on Trunk Highway 19, from 4th Street to Bruce Street within the City of Marshall for Reconstruction improvements; and seeks the approval thereof, as described in Minnesota Statutes 161.162 to 161.167: and

WHEREAS, said final layout is on file in the District 8 Minnesota Department of Transportation office, Willmar, Minnesota, being marked as Layout No. 1A, S.P. 4204-40, from R.P. 34+00.012 to 35+00.474.

NOW, THEREFORE, BE IT RESOLVED that said final layout for the improvement of said Trunk Highway within the corporate limits be and is hereby approved.

Upon the call of the roll the following Council Members voted in favor of the Resolution:

The following Council Members voted against its adoption:

ATTEST:

Mayor \_\_\_\_\_

Dated \_\_\_\_\_, 20\_\_\_

State of Minnesota

County of \_\_\_\_\_

City of \_\_\_\_\_

I do hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of \_\_\_\_\_, Minnesota at a duly authorized meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, as shown by the minutes of said meeting in my possession.

(SEAL) \_\_\_\_\_

City Clerk

**RESOLUTION No. \_\_\_\_\_**

**Resolution for Waiver of Municipal Consent**

At a Meeting of the City Council of the City of \_\_\_\_\_, held on the \_\_ day of \_\_\_\_\_, 20\_\_\_\_, the following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_, to wit:

WHEREAS, the Commissioner of Transportation has prepared a final layout for State Project 4204-40 on Trunk Highway 19, from 4th Street to Bruce Street within the City of Marshall for Reconstruction improvements; and seeks the approval thereof, as described in Minnesota Statutes 161.162 to 161.167: and

WHEREAS, said final layout is on file in the District 8 Minnesota Department of Transportation office, Willmar, Minnesota, being marked as Layout No. 1A, S.P. 4204-40, from R.P. 34+00.012 to 35+00.474; and

NOW, THEREFORE, BE IT RESOLVED that the City Council waives the municipal consent approval action, described in Minnesota Statutes 161.162 to 161.167, of the final layout for SP 4204-40 for the improvement of said and Trunk Highway 19 within the corporate limits.

Upon the call of the roll the following Council Members voted in favor of the Resolution:

The following Council Members voted against its adoption:

ATTEST:

Mayor \_\_\_\_\_ Dated \_\_\_\_\_, 20\_\_

State of Minnesota

County of \_\_\_\_\_

City of \_\_\_\_\_

I do hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of \_\_\_\_\_, Minnesota at a duly authorized meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as shown by the minutes of said meeting in my possession.

(SEAL) \_\_\_\_\_

City Clerk