



*by state chamber - Mexico
e/w*

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

**LIMITED USE PERMIT FOR
NONMOTORIZED RECREATIONAL TRAIL**

C.S. 0206 T.H. 47
County of Anoka
LUP # 0206022

In accordance with Minnesota Statutes Section 161.434 and 23 C.F.R. 652 also published as the Federal-Aid Policy Guide, a Limited Use Permit is hereby granted to City of St. Francis, Permittee. This permit is for the purpose of constructing, maintaining and operating a nonmotorized recreational trail, (hereinafter called trail), within the right of way of Trunk Highway No(s). 47 as shown in red on Exhibit "A", which is attached hereto and incorporated herein by reference. This permit is executed by the Permittee pursuant to the attached resolution. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and supervision of the trail shall be at no expense to the Minnesota Department of Transportation.
2. Before construction of any kind, the plans for such construction shall be approved in writing by the Minnesota Department of Transportation, through the District Engineer.
3. No permanent structure(s) or advertising device(s) in any manner, form or size shall be constructed, placed or permitted to be constructed or placed upon the State of Minnesota right of way.
4. No commercial activity or activities shall be allowed to operate upon said State of Minnesota right of way.
5. Any and all maintenance of the trail shall be provided by the Permittee; this includes, but is not limited to, the plowing and removal of snow, and the installation and removal of regulatory signs.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy said right of way.
7. The Permittee shall preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.

8. Any crossings of the trail over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.
9. The Permittee shall construct the trail at the location shown in the attached Exhibit "A" subject to verification by the Minnesota Department of Transportation District Engineer that the construction geometrics and procedures result in a trail that is compatible with the safe and efficient operation of the highway facility.
10. Approval from Minnesota Department of Transportation District Engineer shall be required for any changes from the approved plan.
11. Upon completion of the construction of the trail, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.
12. This permit does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.
13. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Bikeway or Pedestrian way which would require replacement pursuant to Minnesota Statutes Section 160.264.
14. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation, with or without cause, by giving the Permittee 90 days written notice of such intent. Upon said notice of cancellation the trail shall be removed within 90 days by the Permittee. Upon cancellation of said permit, or any portion thereof, the Permittee will be required to return and restore the area to a condition satisfactory to the Minnesota Department of Transportation District Engineer. The removal of the trail and the return and restoration of the area shall be at no cost to the Minnesota Department of Transportation and at the sole expense of the Permittee.
15. The Permittee, for itself, its successors, and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, which provides in part that no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of any trail.
16. The State of Minnesota, through its Commissioner of Transportation, shall retain the right to limit and/or restrict the parking of vehicles and assemblage of trail users on the

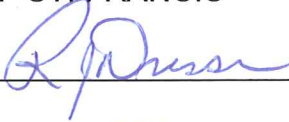
highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and trail users.

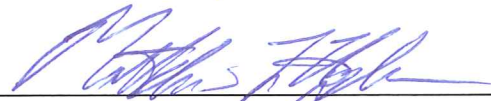
17. No assignment of this permit is allowed.
18. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
19. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns, from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the operations of the trail or from the use of the portion of highway right of way over which this permit is granted.
20. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns from claims arising or resulting from the temporary or permanent termination of trail user rights on any portion of highway right of way over which this permit is granted.
21. The Permittee will hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages.
22. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto; agrees to indemnify and hold harmless the State of Minnesota from all such liens and claims.

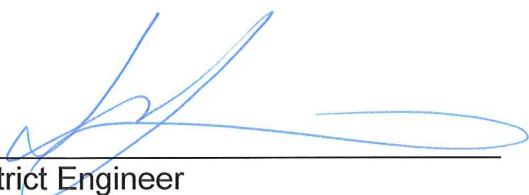
MINNESOTA DEPARTMENT
OF TRANSPORTATION

RECOMMENDED FOR APPROVAL

CITY OF ST. FRANCIS

By 
Its MAYOR

And 
Its CITY ADMINISTRATOR

By: 
District Engineer

Date 8/22/06

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: 
Director, Office of Land Management

Date 8/6/2006

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

CITY OF ST. FRANCIS
ST. FRANCIS, MN
ANOKA COUNTY

RESOLUTION 2006-53

**APPROVING THE LIMITED USE PERMIT WITH THE STATE OF
MINNESOTA DEPARTMENT OF TRANSPORTATION FOR A PEDESTRIAN TRAIL
IN THE RIGHT-OF-WAY OF TRUNK HIGHWAY 47 FROM 227th AVENUE TO 229th
AVENUE AND ALL PREVIOUSLY CONSTRUCTED PEDESTRIAN TRAILS
CONSTRUCTED WITHIN THE TRUNK HIGHWAY 47 RIGHT-OF-WAY WITHIN
THE CITY OF ST. FRANCIS**

At a meeting of the City Council of the City of St. Francis held on Monday, August 7, 2006 at the St. Francis City Hall, 23340 Cree St. NW, St. Francis, Minnesota, with the following members present: Mayor Randy Dressen, Council members Kerry Schoer, Steve Kane, Tim Brown, and Ray Jones; and the following absent: none, the St. Francis City Council resolved:

WHEREAS, the City of St. Francis is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of St. Francis has approved a plan to construct pedestrian trails in the right-of-way of Trunk Highway 47 to promote orderly and safe accommodations for pedestrians along the highway; and

WHEREAS, the State of Minnesota, Department of Transportation requires a Limited Use Permit for the construction and utilization of said pedestrian trails.

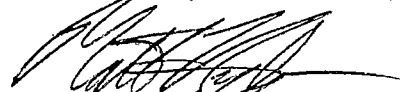
NOW, THEREFORE, BE IT RESOLVED the City Council of the City of St. Francis hereby enters into a Limited Use Permit with the State of Minnesota, Department of Transportation to construct, operate and maintain pedestrian trails within the right-of-way of Trunk Highway 47 of the State of Minnesota from 227th Avenue to 229th Avenue and all previously constructed pedestrian trails within the Trunk Highway 47 right-of-way within the City of St. Francis. The City of St. Francis shall construct, operate and maintain said trails in accordance with the Limited Use Permit granted by the Minnesota Department of Transportation.


NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council and the Mayor are authorized to execute the Limited Use Permit and any amendments to the Permit.

Voting in Favor: Mayor Randy Dressen, Council members Schoer, Kane,
Brown, and Jones

Voting Against: None


Resolution duly seconded and passed this 7th day of August 2006.

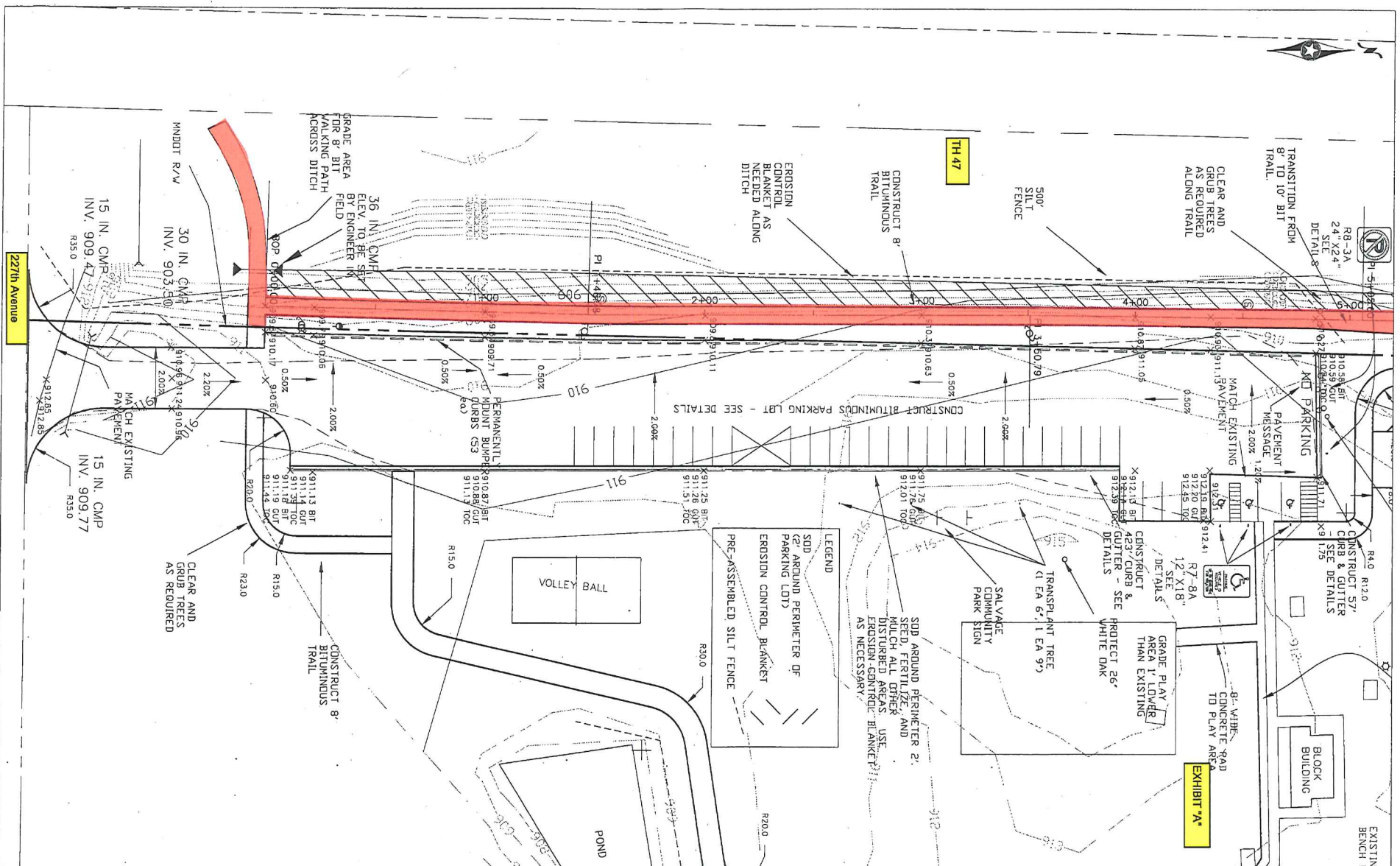

Matt Hylen, City Administrator


R. J. Dressen, Mayor



I hereby certify that the above is a true and correct copy of a resolution presented to and adopted by the City of St. Francis, County of Anoka, State of Minnesota, at a duly authorized City Council meeting held in the City of St. Francis, Minnesota, on the 7th day of August, 2006, as disclosed by the records of said city on file and of record in the office of the City Clerk.


Barb Held, City Clerk, City of St. Francis



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

BRADLEY C. DEWOLF
 LIC. NO. 24000 DATE 6/28/2006

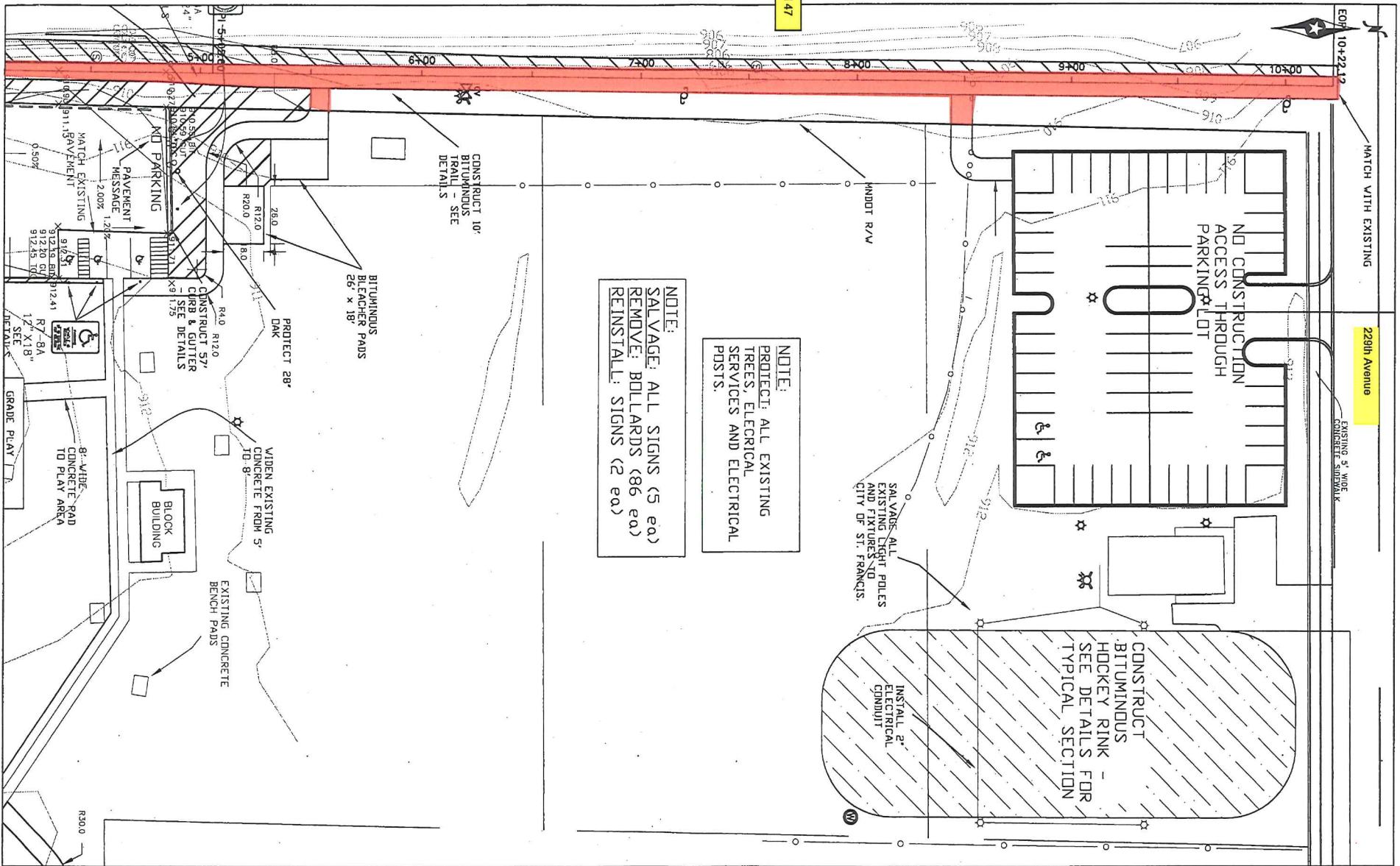
BOLTON & MENK, INC.
 Consulting Engineers & Surveyors

MANKATO, MN FARMONT, MN SLEEPY EYE, MN WILLMAR, MN
 BURNSVILLE, MN CHASKA, MN RAMSEY, MN AMES, IA

CITY OF ST. FRANCIS, MINNESOTA
 CITY PARK IMPROVEMENTS - 2006
 COMMUNITY PARK PLAN

SHEET 1 OF 4

©Bolton & Menk, Inc. 2006. All Rights Reserved
 H:\STFR\W1337976\EP (Community park)\Common park in MNDOT ROW\Community Park_ParkDetail_BCE2.dwg 107-07-2006 1:25 pm



NOTE:
 SALVAGE: ALL SIGNS (5 ea.)
 REMOVE: BOLLARDS (86 ea.)
 REINSTALL: SIGNS (2 ea.)

NOTE:
 PROTECT: ALL EXISTING
 TREES, ELECTRICAL
 SERVICES AND ELECTRICAL
 POSTS.

CONSTRUCT
 BITUMINOUS
 HOCKEY RINK -
 SEE DETAILS FOR
 TYPICAL SECTION

SALVAGE ALL
 EXISTING LIGHT POLES
 AND FIXTURES TO
 CITY OF ST. FRANCIS.

BITUMINOUS
 BLEACHER PADS
 26' x 18'

PROTECT 28'
 D.M.K.

WIDEN EXISTING
 CONCRETE FROM 5'
 TO 8''

EXISTING CONCRETE
 BENCH PADS

BLOCK
 BUILDING

8'-WIDE
 CONCRETE ROAD
 TO PLAY AREA

NO PARKING
 PAVEMENT
 MESSAGE

CONSTRUCT 37'
 CURB & GUTTER
 SEE DETAILS

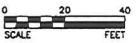
10+22.12

MATCH WITH EXISTING

229th Avenue

EXISTING 5' WIDE
 CONCRETE SIDEWALK

SHEET
 2
 OF
 4



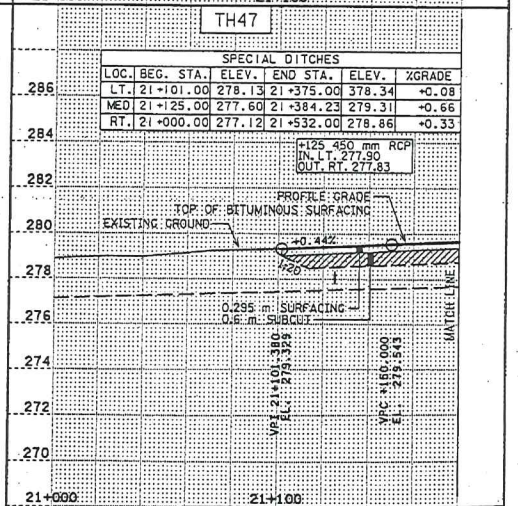
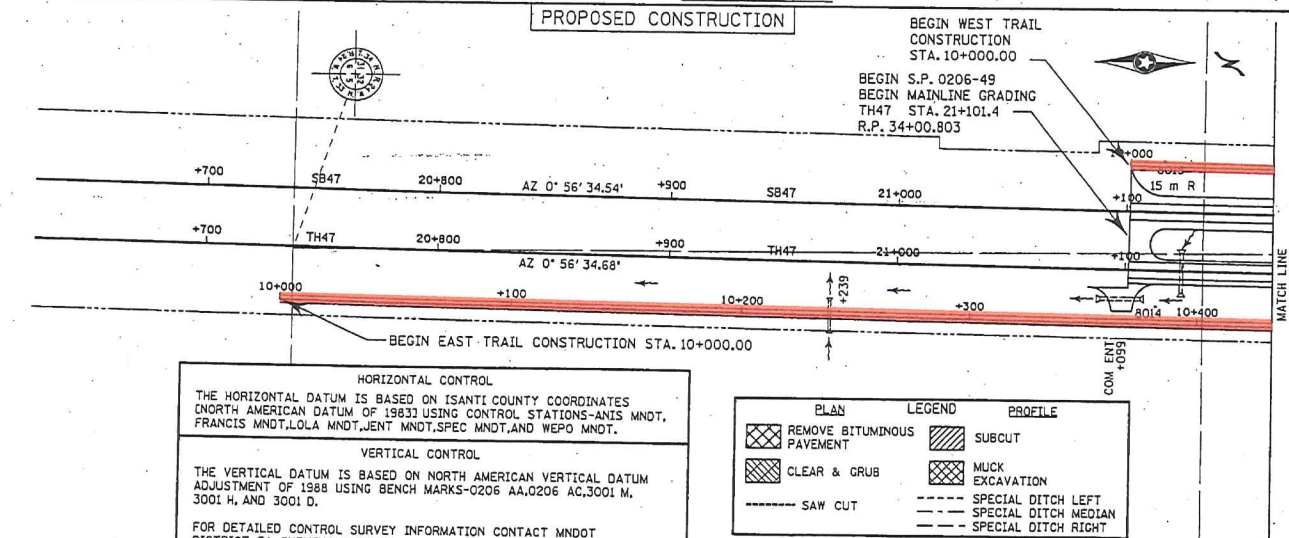
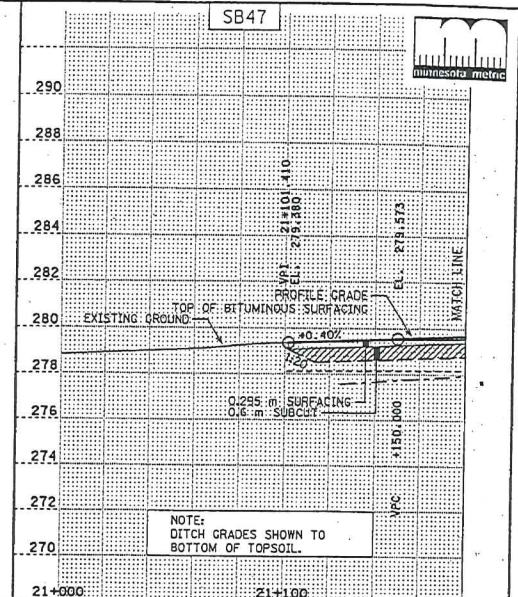
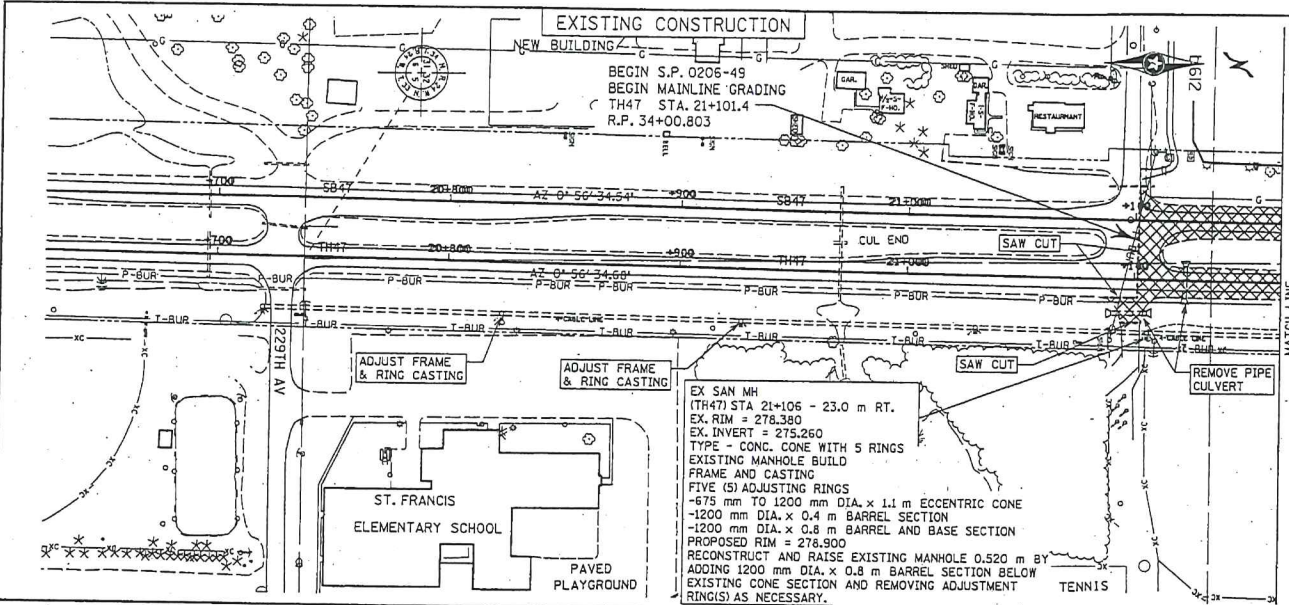
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 BRADLEY C. DEWOLF
 24000
 DATE 6/29/2006

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN
 BURNSVILLE, MN CHASKA, MN RAMSEY, MN AMES, IA

| REV. | BY | DATE |
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CITY OF ST. FRANCIS
 CITY PARK IMPROVEMENTS - 2006
 COMMUNITY PARK

©Bolton & Menk, Inc. 2006. All Rights Reserved
 141 STEVEN WILSON ROAD (Community park) Community Park in MANDOT BOW Community Park, Parkdale, BSE2.dwg 07-07-2006 1:03 pm



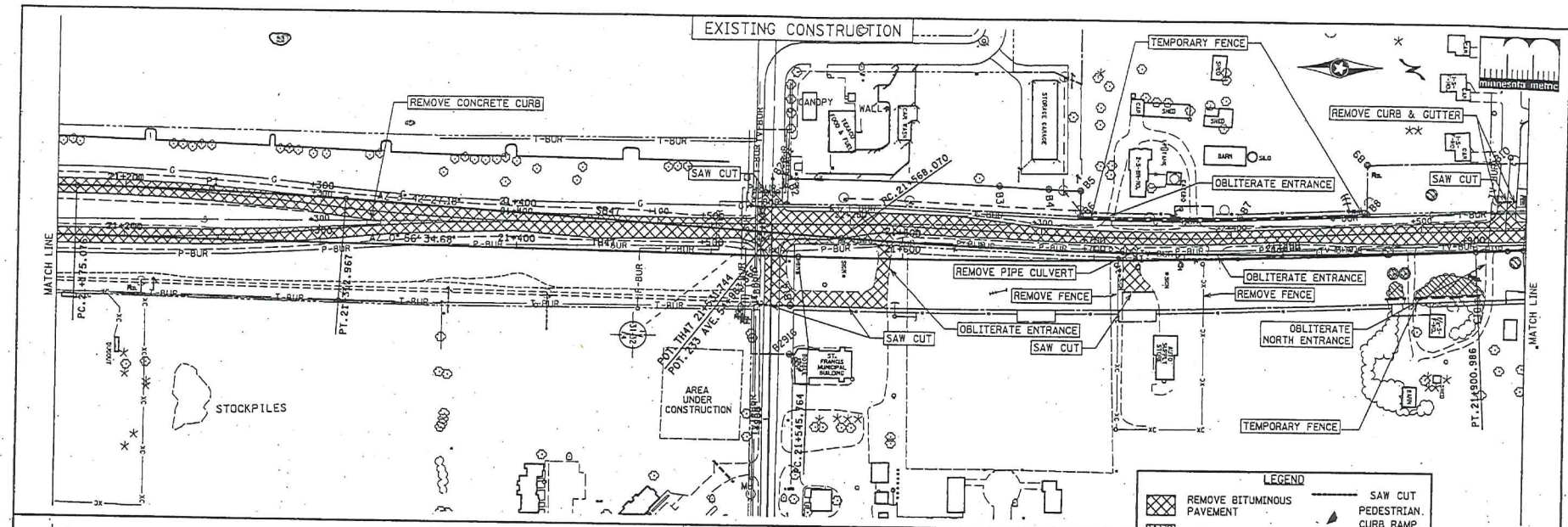
HORIZONTAL CONTROL
 THE HORIZONTAL DATUM IS BASED ON ISANTI COUNTY COORDINATES NORTH AMERICAN DATUM OF 1983 USING CONTROL STATIONS-ANIS MNDT, FRANCIS MNDT, LOLA MNDT, JENT MNDT, SPEC MNDT, AND WEPO MNDT.

VERTICAL CONTROL
 THE VERTICAL DATUM IS BASED ON NORTH AMERICAN VERTICAL DATUM ADJUSTMENT OF 1988 USING BENCH MARKS-0206 AA, 0206 AC, 3001 M, 3001 H, AND 3001 D.

FOR DETAILED CONTROL SURVEY INFORMATION CONTACT MNDOT DISTRICT 3A SURVEYS SECTION.

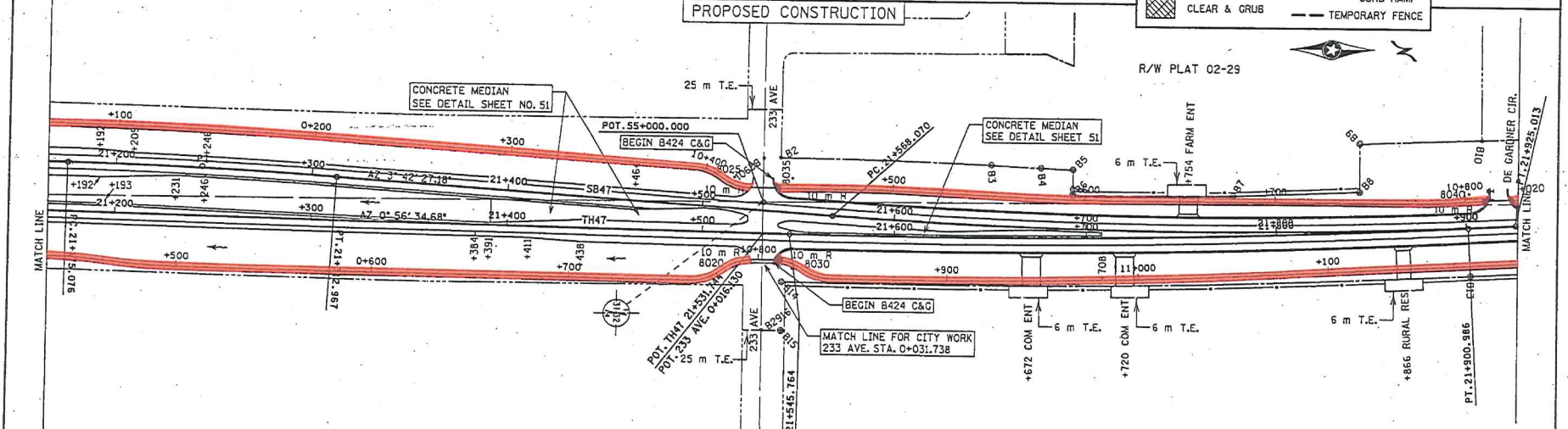
| PLAN | LEGEND | PROFILE |
|------|----------------------------|---------|
| | REMOVE BITUMINOUS PAVEMENT | |
| | CLEAR & GRUB | |
| | SAW CUT | |
| | | |
| | | |
| | | |

CERTIFIED BY LIC. NO. 23164
 LICENSED PROFESSIONAL ENGINEER



LEGEND

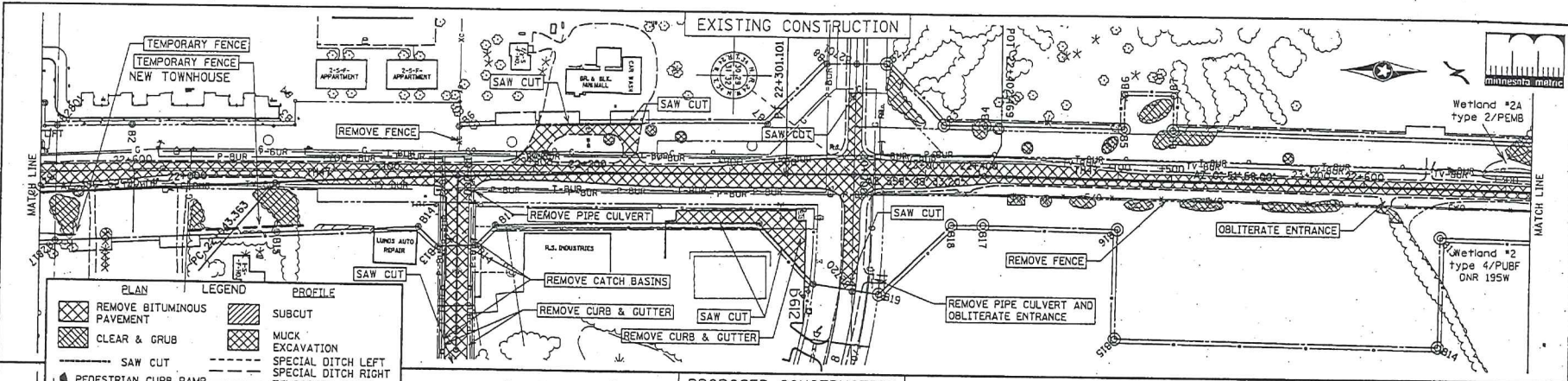
| | | | |
|--|----------------------------|--|----------------------|
| | REMOVE BITUMINOUS PAVEMENT | | SAW CUT |
| | CLEAR & GRUB | | PEDESTRIAN CURB RAMP |
| | | | TEMPORARY FENCE |



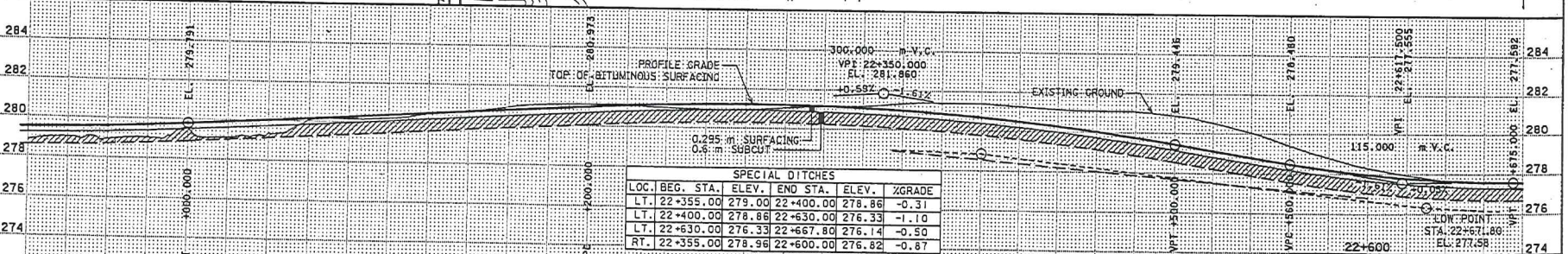
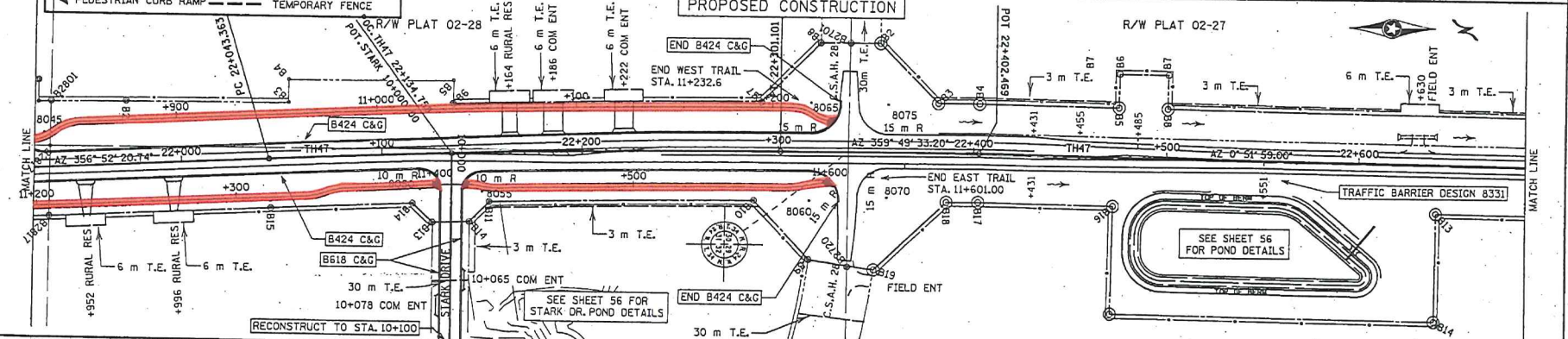
PLAN
STA. 21+166 TO STA. 21+926

CERTIFIED BY LIC. NO. 23164
LICENSED PROFESSIONAL ENGINEER

FILE NAME: S:\prj\147\020649\des\gr\020649.dwg
STATE PROJ. NO. 0206-49 ETC. (T.H. 47) SHEET NO. 101 OF 222 SHEETS
2/24/2003



| PLAN | | LEGEND | | PROFILE | |
|------|----------------------------|--------|-----------------|---------|---------------------|
| | REMOVE BITUMINOUS PAVEMENT | | SUBCUT | | SPECIAL DITCH LEFT |
| | CLEAR & GRUB | | MUCK EXCAVATION | | SPECIAL DITCH RIGHT |
| | SAW CUT | | TEMPORARY FENCE | | TEMPORARY FENCE |
| | PEDESTRIAN CURB RAMP | | | | |



CERTIFIED BY LIC. NO. 23164
 STATE PROJ. NO. 0206-49 ETC. (T.H. 47) SHEET NO. 103 OF 222 SHEETS
 PLAN & PROFILE (TH47) STA. 21+926 TO STA. 22+686
 FILE NAME IS: \PFI\147\0206\49\des\gn\020649.dwg
 2/24/2003