

**By Colvin Roy**

**Approving trail easement agreement for Cedar Lake Trail.**

Whereas, the City of Minneapolis (the "City") completed Phase I and Phase II of the Cedar Lake Trail between the West City limits and Royalston Avenue in 1995;

Whereas, extension of the Cedar Lake Trail from Royalston Avenue to the Mississippi River ("Cedar Lake Trail Phase III a/k/a Cedar Lake Bike Trail Phase III") is a high priority for the City of Minneapolis ("City") and its residents;

Whereas, the Minnesota Ballpark Authority ("MBA") located at 1 Target Field, owns property lying between Royalston Avenue and Fifth Street which the City desires to cross with the Cedar Lake Trail – Phase III, and which is legally described in Exhibit A attached hereto ("Authority Property");

Whereas, the City staff and counsel retained by the City have negotiated a proposed Trail Easement Agreement which, if approved, will authorize the City to construct, operate, maintain and repair the Cedar Lake Trail across the Authority Property in accordance with plans and specifications prepared on behalf of the City and approved by the MBA;

Whereas, the trail easement parcel is legally described on Exhibit B attached hereto;

Whereas, construction of the trail is scheduled to be commenced and completed in 2010;

Whereas, under the proposed Trail Easement Agreement and pursuant to an independent appraisal of the damages caused by the City's acquisition of the easement, the City will pay the Minnesota Ballpark Authority \$437,400 in full satisfaction of all compensation agreed to be due as a result of the City's purchase of the easement;

Now, Therefore, Be It Resolved by The City Council of The City Of Minneapolis:

That upon approval of the proposed easement by the City Attorney and execution and delivery of the easement on behalf of the Minnesota Ballpark Authority, the City Contracting Officer is authorized to execute the easement on behalf of the City and to pay the MBA the above amount.

## EXHIBIT A

### Legal Description of Authority Property

Those parts of the following 6 Parcels:

#### Parcel 1.

Lots 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12, Block 3; and  
Lots 1, 2, 3, 4, 9, 10 and 11, Block 6;  
Wilson Bell and Wagner's Addition to Minneapolis;

Vacated 11<sup>th</sup> Street North (dedicated in the plat of Wilson Bell and Wagner's Addition to Minneapolis as GROVE ST.) and vacated Holden Street (dedicated in the plat of Wilson Bell and Wagner's Addition to Minneapolis as 6<sup>TH</sup> St.);

#### Parcel 2.

Lot 13, Block 3, CAMP and WALKER'S ADDITION TO MINNEAPOLIS, Except that part of said lot lying within "Rearrangement of Blocks two (2) and three (3) of Camp and Walkers Addition to Minneapolis";

#### Parcel 3.

Lots 1, 2, 3, 4, 5, 10, 11, 12 and 13, Block 3; and  
Lots 1 through 7, inclusive, Block 2;  
"Rearrangement of Blocks two (2) and three (3) of Camp and Walkers Addition to Minneapolis";

Vacated THIRD AVENUE NORTH and vacated SEVENTH STREET NORTH, dedicated in the plat of "Rearrangement of Blocks two (2) and three (3) of Camp and Walkers Addition to Minneapolis";

Vacated THIRD AVENUE NORTH and vacated SEVENTH STREET NORTH, dedicated in the plat of CAMP and WALKER'S ADDITION TO MINNEAPOLIS;

#### Parcel 4.

Lots 3 and 8, Block 85; and  
Lots 1 through 10, inclusive, Block 4; and  
Lots 1, 2 and 10, Block 5;  
HOAG'S ADDITION TO MINNEAPOLIS;

Vacated THIRD AVENUE NORTH (dedicated in the plat of HOAG'S ADDITION TO MINNEAPOLIS as ITASKA STREET), vacated or abandoned FOURTH AVENUE NORTH (dedicated in the plat of HOAG'S ADDITION TO MINNEAPOLIS as DACOTA

STREET), and vacated or abandoned SIXTH STREET and FIFTH STREET, dedicated in the plat of HOAG'S ADDITION TO MINNEAPOLIS;

Parcel 5.

HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY PROPERTY MAP NO. 11, Except that part of said land lying within Block 3, Wilson Bell and Wagner's Addition to Minneapolis;

Parcel 6.

The unplatted parts of the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 22, Township 29, Range 24;

described as follows:

Commencing at the southwest corner of Section 22, Township 29, Range 24; thence, along the west line of said Section 22, on an assumed bearing of North 0 degrees 01 minute 47 seconds East, a distance of 886.34 feet; thence South 85 degrees 09 minutes 04 seconds East a distance of 1722.10 feet; thence easterly on a non-tangential curve, concave to the north, having a radius of 170.00 feet, a central angle of 22 degrees 46 minutes 53 seconds and a chord which bears North 78 degrees 44 minutes 17 seconds East, a distance of 67.59 feet to a point on the westerly line of Lot 9, Block 6, Wilson Bell and Wagner's Addition to Minneapolis and the actual point of beginning of the land to be described; thence continue northeasterly on the last described curve, concave to the northwest, having a radius of 170.00 feet and a **central angle of 10 degrees 59 minutes 17 seconds and a chord which bears North 61 degrees 51 minutes 12 seconds East, a distance of 32.60 feet to a point hereinafter referred to as Point A;** thence continue northeasterly on the last described curve, concave to the northwest, having a radius of 170.00 feet and a **central angle of 15 degrees 05 minutes 01 second a distance of 44.77 feet;** thence North 41 degrees 16 minutes 32 seconds East tangent to said curve a distance of 523.93 feet; thence northeasterly on a non-tangential curve, concave to the southeast, having a radius 1694.42 feet, a central angle of 8 degrees 57 minutes 40 seconds and a chord which bears North 50 degrees 37 minutes 16 seconds East, a distance of 265.01 feet to the center line of SEVENTH STREET NORTH, as dedicated in "Rearrangement of Blocks two (2) and three (3) of Camp and Walkers Addition to Minneapolis"; thence South 44 degrees 56 minutes 07 seconds East, along said center line, a distance of 123.46 feet; thence North 54 degrees 02 minutes 33 seconds East a distance of 55.06 feet; thence South 43 degrees 16 minutes 02 seconds East a distance of 4.03 feet; thence North 49 degrees 44 minutes 44 seconds East a distance of 9.51 feet; thence South 43 degrees 16 minutes 02 seconds East a distance of 18.65 feet; thence northeasterly on a non-tangential curve, concave to the northwest, having a radius of 14086.50 feet, a central angle of 00 degrees 20 minutes 13 seconds and a chord which bears North 57 degrees 07 minutes 01 second East, a distance of 82.84 feet; thence North 56 degrees 56 minutes 54 seconds East not tangent to said curve a

distance of 28.13 feet; thence deflect to the left on a tangential curve, having a radius of 959.02 feet and a central angle of 12 degrees 18 minutes 40 seconds, a distance of 206.06 feet to a point of compound curvature; thence deflect to the left on a tangential curve, having a radius of 1039.99 feet and a central angle of 06 degrees 12 minutes 46 seconds, a distance of 112.77 feet; thence North 39 degrees 40 minutes 10 seconds East a distance of 46.91 feet; thence North 35 degrees 19 minutes 24 seconds East a distance of 38.40 feet; thence deflect to the right on a tangential curve, having a radius of 801.98 feet and a central angle of 09 degrees 46 minutes 26 seconds, a distance of 136.81 feet; thence North 45 degrees 05 minutes 50 seconds East a distance of 54.36 feet; thence North 44 degrees 54 minutes 10 seconds West a distance of 3.89 feet; thence North 45 degrees 05 minutes 08 seconds East a distance of 12.55 feet; thence North 00 degrees 02 minutes 39 seconds East a distance of 22.42 feet to the northwesterly line of THIRD AVENUE NORTH (dedicated in the plat of HOAG'S ADDITION TO MINNEAPOLIS as ITASKA STREET); thence North 44 degrees 30 minutes 52 seconds East, along said northwesterly line, a distance of 39.03 feet to the centerline of vacated or abandoned FIFTH STREET NORTH, as dedicated in the plat of HOAG'S ADDITION TO MINNEAPOLIS; thence North 44 degrees 59 minutes 51 seconds West, along said centerline, a distance of 30.65 feet to an intersection with a line drawn at right angles from the northeasterly line of Block 4, HOAG'S ADDITION TO MINNEAPOLIS from a point on said northeasterly line distant 31 feet northwesterly from the most easterly corner of said Block 4; thence South 45 degrees 00 minutes 09 seconds West, along said line drawn at right angles from the northeasterly line of said Block 4 a distance of 41.23 feet to the northeasterly line of said Block 4; thence North 44 degrees 59 minutes 51 seconds West, along said northeasterly line, a distance of 105.82 feet to an intersection with the southwesterly extension of the northwesterly line of the southeasterly 2.64 feet of Lot 3, Block 85, HOAG'S ADDITION TO MINNEAPOLIS; thence North 44 degrees 43 minutes 45 seconds East, along said southwesterly extension, a distance of 82.45 feet to the southwesterly line of said Block 85; thence North 44 degrees 59 minutes 51 seconds West, along the southwesterly line of said Block 85, a distance of 35.36 feet to the most southerly corner of the northwesterly 26.00 feet of the southeasterly 64.00 feet of Lot 3, said BLOCK 85; thence North 44 degrees 43 minutes 45 seconds East, along the southeasterly line of the northwesterly 26.00 feet of the southeasterly 64.00 feet of Lots 3 and 8, said Block 85, a distance of 340.00 feet to the northeasterly line of said Block 85; thence North 44 degrees 59 minutes 51 seconds West, along said northeasterly line, a distance of 26.00 feet to the most northerly corner of the southeasterly 64.00 feet of Lot 8, said Block 85; thence South 44 degrees 43 minutes 45 seconds West, along the northwesterly line of the southeasterly 64.00 feet of Lots 3 and 8, said Block 85, a distance of 340.00 feet to the southwesterly line of said Block 85; thence North 44 degrees 59 minutes 51 seconds West, along said southwesterly line and along a line drawn from the most westerly corner of said Block 85 to the most southerly corner of Block 9, HOAG'S ADDITION TO MINNEAPOLIS, **a distance of 224.42 feet to a point hereinafter referred to as Point B;** thence continuing North 44 degrees 59 minutes 51 seconds West, along said line drawn from the most westerly corner of said Block 85 to the most southerly corner of Block 9, HOAG'S ADDITION TO MINNEAPOLIS, and along the southwesterly line of said

Block 9, a distance of **30.35 feet to a point hereinafter referred to as Point C;** **thence continuing North 44 degrees 59 minutes 51 seconds West, along the southwesterly line of said Block 9, a distance of 38.89 feet** to an intersection with a line drawn parallel with and distant 25 feet southeasterly from the centerline of the East bound track of the Burlington Northern Santa Fe Railroad, as said centerline was located and established on November 16, 2000, **said point of intersection being hereinafter referred to as Point D;** thence South 45 degrees 06 minutes 27 seconds West, along said parallel line, a distance of 303.85 feet to **a point hereinafter referred to as Point E;** thence South 63 degrees 38 minutes 00 seconds West a distance of 17.84 feet; thence South 57 degrees 04 minutes 22 seconds West a distance of 82.18 feet; thence South 49 degrees 21 minutes 28 seconds West a distance of 125.35 feet; thence South 45 degrees 52 minutes 40 seconds West a distance of 138.40 feet; thence South 40 degrees 30 minutes 48 seconds West a distance of 95.19 feet; thence South 30 degrees 52 minutes 01 second West a distance of 42.41 feet; thence South 35 degrees 37 minutes 59 seconds West a distance of 95.92 feet; thence South 35 degrees 34 minutes 55 seconds West a distance of 26.88 feet; thence southwesterly on a non-tangential curve concave to the northwest, having a radius of 623.80 feet, a central angle of 09 degrees 32 minutes 24 seconds and a chord which bears South 40 degrees 19 minutes 54 seconds West, a distance of 103.87 feet; thence South 45 degrees 06 minutes 06 seconds West a distance of **5.48 feet to a point hereinafter referred to as Point F;** **thence continuing South 45 degrees 06 minutes 06 seconds West a distance of 107.24 feet;** thence southwesterly on a non-tangential curve concave to the southeast, having a radius of 2826.93 feet, a central angle of 02 degrees 48 minutes 55 seconds and a chord which bears South 43 degrees 35 minutes 07 seconds West, a distance of 138.91 feet; thence South 42 degrees 10 minutes 39 seconds West a distance of 155.83 feet; thence southwesterly and southerly on a tangential curve concave to the east, having a radius of 100.12 feet and a central angle of 48 degrees 41 minutes 58 seconds, a distance of 85.10 feet to a southeasterly boundary line of HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY PROPERTY MAP NO. 11; thence South 52 degrees 13 minutes 40 seconds West, along said southeasterly boundary line, a distance of 58.79 feet to **an intersection with** the southerly line of Block 3, Wilson Bell and Wagner's Addition to Minneapolis, **said point of intersection being hereinafter referred to as Point G;** thence South 89 degrees 55 minutes 59 seconds East, along said southerly line, a distance of 81.40 feet **to a point hereinafter referred to as Point H;** thence southeasterly on a non-tangential curve concave to the northeast, having a radius of 80.12 feet, a central angle of 05 degrees 16 minutes 44 seconds and a chord which bears South 38 degrees 58 minutes 37 seconds East, a distance of 7.38 feet **to a point hereinafter referred to as Point I;** thence southeasterly on a reverse curve concave to the southwest, having a radius of 142.83 feet and a central angle of 25 degrees 07 minutes 15 seconds, a distance of 62.62 feet to **an intersection with** the northerly line of Block 6, Wilson Bell and Wagner's Addition to Minneapolis, **said point of intersection being hereinafter referred to as Point J;** thence North 89 degrees 55 minutes 59 seconds West, along said northerly line, a distance of 35.07 feet, to the northwest corner of Lot 4, Block 6, Wilson Bell and Wagner's Addition to Minneapolis, **said point being hereinafter referred to as Point K;** thence South 00 degrees 04

minutes 30 seconds West, along the westerly line of said Lot 4 and the westerly line of Lot 9, said Block 6, a distance of 261.66 feet to the point of beginning.

## EXHIBIT B

### Legal Description of Easement Tract

That part of the above described Authority Property lying westerly and northwesterly of the hereinafter described "Line 1", lying northeasterly of a line, and its extensions, drawn from the above described Point F to the hereinafter described Point L, and lying above an elevation of 822.00 feet NAVD 1988 and below an elevation of 842.00 feet NAVD 1988, except that part thereof hereinafter described as "Exception No. 1" and except those parts thereof on which Ballpark structural members or other Ballpark improvements now or hereafter exist;

Also, that part of the above described Authority Property lying westerly and northwesterly of the hereinafter described "Line 1", lying southwesterly of a line, and its extensions, drawn from the above described Point F to the hereinafter described Point L, lying northerly of a line, and its extensions, drawn from the above described Point G to the above described Point H, and lying above an elevation of 822.00 feet NAVD 1988 and below an elevation of 844.00 feet NAVD 1988, except that part thereof hereinafter described as "Exception No. 2" and except those parts thereof on which Ballpark structural members or other Ballpark improvements now or hereafter exist;

#### "Line 1":

"Line 1" is described as beginning at the above described Point B; thence South 45 degrees 06 minutes 14 seconds West a distance of 114.81 feet; thence North 45 degrees 27 minutes 44 seconds West a distance of 5.53 feet; thence South 72 degrees 56 minutes 52 seconds West a distance of 8.84 feet; thence North 25 degrees 10 minutes 23 seconds West a distance of 0.14 feet; thence South 70 degrees 09 minutes 44 seconds West a distance of 3.03 feet; thence South 20 degrees 18 minutes 30 seconds East a distance of 0.14 feet; thence South 50 degrees 56 minutes 10 seconds West a distance of 42.36 feet; thence South 72 degrees 22 minutes 30 seconds West a distance of 2.94 feet; thence South 16 degrees 45 minutes 41 seconds East a distance of 1.99 feet; thence South 56 degrees 30 minutes 44 seconds West a distance of 86.68 feet; thence South 63 degrees 54 minutes 31 seconds West a distance of 34.96 feet; thence North 26 degrees 25 minutes 42 seconds West a distance of 0.09 feet; thence South 63 degrees 34 minutes 18 seconds West a distance of 3.00 feet; thence South 26 degrees 25 minutes 42 seconds East a distance of 0.09 feet; thence South 61 degrees 29 minutes 53 seconds West a distance of 32.75 feet; thence North 32 degrees 47 minutes 50 seconds West a distance of 0.13 feet; thence South 57 degrees 12 minutes 10 seconds West a distance of 1.78 feet; thence South 32 degrees 47 minutes 50 seconds East a distance of 0.13 feet; thence South 57 degrees 12 minutes 10 seconds West a distance of 0.28 feet; thence North 32 degrees 47 minutes 50 seconds West a distance of 0.13 feet; thence South 57 degrees 12 minutes 10 seconds West a distance of 1.99 feet; thence South 32 degrees 47 minutes 50 seconds East a distance of 0.13 feet; thence South 58 degrees 14 minutes 09 seconds West a distance of 67.99 feet; thence North 34 degrees 09

minutes 58 seconds West a distance of 0.80 feet; thence South 56 degrees 43 minutes 34 seconds West a distance of 12.03 feet; thence South 33 degrees 16 minutes 26 seconds East a distance of 1.68 feet; thence South 51 degrees 46 minutes 15 seconds West a distance of 37.20 feet; thence South 48 degrees 44 minutes 10 seconds West a distance of 85.13 feet; thence South 45 degrees 50 minutes 16 seconds West a distance of 78.33 feet; thence North 64 degrees 06 minutes 55 seconds West a distance of 0.13 feet; thence South 25 degrees 53 minutes 05 seconds West a distance of 2.98 feet; thence South 64 degrees 06 minutes 55 seconds East a distance of 0.07 feet; thence South 47 degrees 53 minutes 04 seconds West a distance of 22.46 feet; thence South 47 degrees 52 minutes 35 seconds West a distance of 21.76 feet; thence South 40 degrees 52 minutes 25 seconds West a distance of 89.54 feet; thence South 36 degrees 15 minutes 10 seconds West a distance of 52.71 feet; thence North 45 degrees 25 minutes 40 seconds West a distance of 0.10 feet; thence South 44 degrees 34 minutes 20 seconds West a distance of 4.01 feet; thence South 45 degrees 25 minutes 40 seconds East a distance of 0.10 feet; thence South 43 degrees 26 minutes 02 seconds West a distance of 2.46 feet; thence South 43 degrees 48 minutes 26 seconds East a distance of 3.68 feet; thence South 35 degrees 38 minutes 05 seconds West a distance of 119.33 feet; thence southwesterly on a non-tangential curve concave to the northwest, having a radius of 643.80 feet, a central angle of 09 degrees 32 minutes 20 seconds and a chord which bears South 40 degrees 19 minutes 56 seconds West, a distance of 107.18 feet; thence South 45 degrees 06 minutes 06 seconds West a distance of 19.36 feet to a point hereinafter referred to as Point L; thence continuing South 45 degrees 06 minutes 06 seconds West a distance of 93.34 feet; thence southwesterly on a non-tangential curve concave to the southeast, having a radius of 2806.93 feet, a central angle of 02 degrees 48 minutes 54 seconds and a chord which bears South 43 degrees 35 minutes 06 seconds West, a distance of 137.90 feet; thence South 42 degrees 10 minutes 39 seconds West a distance of 155.83 feet to a point hereinafter referred to as Point M; thence southwesterly and southerly on a tangential curve concave to the east, having a radius of 80.12 feet and a central angle of 78 degrees 30 minutes 54 seconds, a distance of 109.79 feet to the above described Point H; thence continue southerly on the last described curve, concave to the east, having a radius of 80.12 feet, a central angle of 05 degrees 16 minutes 44 seconds and a chord which bears South 38 degrees 58 minutes 37 seconds East, a distance of 7.38 feet to the above described Point I, said point being a point of reverse curvature; thence southeasterly on a reverse curve concave to the southwest, having a radius of 142.83 feet and a central angle of 25 degrees 07 minutes 15 seconds, a distance of 62.62 feet to an intersection with the northerly line of Block 6, Wilson Bell and Wagner's Addition to Minneapolis, said point of intersection being the above described Point J; thence continue southeasterly on the last described curve, concave to the southwest, having a radius of 142.83 feet, a central angle of 16 degrees 34 minutes 20 seconds and a chord which bears South 08 degrees 12 minutes 34 seconds East, a distance of 41.31 feet; thence South 00 degrees 04 minutes 36 seconds West a distance of 167.47 feet; thence southerly on a tangential curve concave to the west, having a radius of 65.00 feet, a central angle of 35 degrees 50 minutes 59 seconds and a chord which bears South 18 degrees 00 minutes 05 seconds West, a distance of 40.67 feet to the above described Point A;

thence southwesterly on a non-tangential curve, concave to the northwest, having a radius of 170.00 feet, a central angle of 10 degrees 59 minutes 17 seconds, and a chord which bears South 61 degrees 51 minutes 12 seconds West, a distance of 32.60 feet to the most southerly corner of said above described Authority Property and said "Line 1" there terminating;

"Exception No. 1":

"Exception No. 1" is described as beginning at the above described Point C; thence North 44 degrees 59 minutes 51 seconds West, along the southwesterly line of Block 9, HOAG'S ADDITION TO MINNEAPOLIS, a distance of 38.89 feet to an intersection with a line drawn parallel with and distant 25 feet southeasterly from the centerline of the East bound track of the Burlington Northern Santa Fe Railroad, as said centerline was located and established on November 16, 2000, said point of intersection being the above described Point D; thence South 45 degrees 06 minutes 27 seconds West, along said parallel line, a distance of 303.85 feet to the above described Point E; thence continuing South 45 degrees 06 minutes 27 seconds West, along said parallel line, a distance of 13.14 feet; thence North 63 degrees 37 minutes 54 seconds East a distance of 46.59 feet; thence northeasterly along a tangential curve, concave to the northwest, having a radius of 390.58 feet and a central angle of 09 degrees 32 minutes 02 seconds, a distance of 64.99 feet; thence North 54 degrees 05 minutes 51 seconds East a distance of 50.76 feet; thence northeasterly along a tangential curve, concave to the northwest, having a radius of 190.58 feet and a central angle of 01 degree 46 minutes 32 seconds, a distance of 5.91 feet; thence North 45 degrees 03 minutes 49 seconds East, not tangent to the last described curve, a distance of 153.85 feet to the point of beginning;

"Exception No. 2":

"Exception No. 2" is described as that part of said Authority Property lying westerly and northwesterly of said "Line 1" which lies northeasterly of a tangential line drawn through and extending northwesterly from the point of reverse curvature as described in said "Line 1", said point being described above as Point I, and which lies southeasterly of a tangential line drawn through and extending southwesterly from the most northerly point of tangency of the reverse curve as described in said "Line 1", said point being described above as Point M;