

CITY OF VADNAIS HEIGHTS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Vadnais Heights Planning Commission will meet and conduct a public hearing on March 25, 2025 at 7:00 PM at Vadnais Heights City Hall, 800 County Road E East, to consider an application submitted by Peng Thao for a Variance at 355 KOEHLER RD (PIN 293022320012).

Anyone wishing to be heard in regard to this matter will be given an opportunity at this time. The application is available for public review at City Hall during normal business hours and will be posted on the City's website in advance of the meeting. Questions or comments should be directed to Nolan Wall, Planning/Community Development Director, at 651-204-6027 or nolan.wall@cityvadnaisheights.com.

Published one time in the Vadnais Heights Press on March 12, 2025.

CITY OF VADNAIS HEIGHTS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Vadnais Heights Planning Commission will meet and conduct a public hearing on March 25, 2025 at 7:00 PM at Vadnais Heights City Hall, 800 County Road E East, to consider an application submitted by Stelter Enterprises LLC for a Conditional Use Permit, Site Plan, Variance at 0 VADNAIS CENTER DR (PIN 333022210022).

Anyone wishing to be heard in regard to this matter will be given an opportunity at this time. The application is available for public review at City Hall during normal business hours and will be posted on the City's website in advance of the meeting. Questions or comments should be directed to Nolan Wall, Planning/Community Development Director, at 651-204-6027 or nolan.wall@cityvadnaisheights.com.

Published one time in the Vadnais Heights Press on March 12, 2025.

CITY OF VADNAIS HEIGHTS

ORDINANCE NO. 787

AN ORDINANCE AMENDING CITY CODE CHAPTER 10 ARTICLE IV SECTION 10-298 LOW POTENCY EDIBLE EXEMPTION

WHEREAS: The City Council of Vadnais Heights passed Ordinance No. 775 to set registration application requirements for adult-use cannabis business and the associated zoning uses; and

WHEREAS: this ordinance notice has been published in the paper of note ten days prior to consideration;

THEREFORE: City Code Chapter 10 Division 9 Section 10-298 shall be amended to the following - strikethrough text indicates text to be stricken, underlined text is to be added:

10.298. – Limiting of Registrations

The City shall limit the number of cannabis-retail-businesses licensed cannabis retailers, cannabis mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement to no fewer than one per 12,500 residents within the legal boundaries of the City of Vadnais Heights.

Businesses whose sole cannabis business registration is for lower-potency hemp derived edibles are exempt from the above cap.

This ordinance shall be effective from its passage and subsequent publication.

Published one time in the Vadnais Heights Press on March 12, 2025.

NORTHEAST METRO 916

WHITE BEAR LAKE, MINNESOTA

BOARD NOTES FEBRUARY 5, 2025

The regular meeting of the School Board of Northeast Metro 916 Intermediate School District was held on Wednesday, February 5, 2025, at 6:00 p.m. at Bellaire School and the following business was transacted.

Meeting Called to Order

The meeting was called to order by Chair Forsberg at 6:00 p.m.

Roll Call of Attendance

Members present: Knisely-12, Palmer-13, Jones-14, Forsberg-16, Oknesvad-282, Bock- 621, Nitardy-622, Clark-623, Daniels-624, Rebelein-831, Dols-833 and Thelander-834. Absent: Stout-832. Also present: Dr. Val Rae Boe, superintendent.

Approval of Agenda

Adopted the agenda as presented, limited discussion to the approved agenda, and accepted the list of items proposed for consent adoption.

Board Calendar Dates

- Thursday, February 27, 2025- Building Tour: Bellaire Education Center at 12:00 p.m. and School Board Orientation at 12:30 p.m., Bellaire Board Room
- Wednesday, March 5, 2025- School Board Meeting at 6:00 p.m.
- Wednesday, March 26, 2025 - Building Tours: Pankalo Education Center at 8:30 a.m., Auditory Oral Program at 10:00 a.m, and 916 Mahtomedi Academy at 11:30.
- Wednesday, April 16, 2025 - Building Tours: Metro Heights Academy at 8:00 a.m. and Karner Blue Education Center at 9:30 a.m.
- Wednesday, May 14, 2025 - Building Tours: South Campus Education Center at 8:30 a.m. and Quora Education Center (Quora Secondary School and Eastview Academy) at 10:00 a.m.

Questions and/or Comments from Citizens Present on Non-Agenda Items None.

Presentation: Legislative Update

Valerie Dosland, lobbyist, shared an update on the House and Senate, budget recommendations, and 2025 Intermediate priorities as this 2025 legislative session begins.

Presentation: Career and Technical Education

Michelle Baland, principal of 916 Career & Tech, and a student from Stillwater High School enrolled in the Dental Careers program at Career & Tech, shared the benefits of 916's career and technical programs for both students and member districts.

Presentation: Project Aware Update

Cara McGlynn, lead 916 social worker, shared an update on the Project AWARE grant.

First Reading: 2025-26 School Calendars

A first reading of three calendars for the 2025-26 School Calendars were presented. The first calendar covers staff and students in the majority of the 916, the second calendar is a stretch calendar for Mahtomedi Academy, and the third calendar is a stretch calendar at Bellaire Education Center.

Superintendent's Report

Superintendent Boe commented on the following items that were included in her written report: (a) Member District Highlights; (b) Partnership and Progress (c) Legislative Updates; and (d) Strategic Actions Program Spotlight: South Campus.

Approval of the Consent Agenda

Approved the consent items, accepted as part of the approval of the agenda, consistent with the recommended actions presented by the administration.

Approval of Minutes

Payment of Bills and ACH Payments

Personnel

Field Trip

Approval of 2025 Summer Programming Calendars

Approved the dates for ESY and Summer programming for students attending the Area Learning Centers for 2025.

Adopt Proposed Policy Modifications

Adopted Policies 512 and 519 as revised.

Approval of Letter of Intent for Leased Space to support Metro Heights Academy ALC

Approved the Letter of Intent for leased space at 6499 University Avenue. The Board further approves the Lease Agreement with Yellow Brick Road Investments, LLC, consistent with the Letter of Intent, subject to final review and approval by staff and legal counsel. The Board Chair is authorized and directed to sign the Letter of Intent and Lease subject to the terms of this motion.

Board Forum

Chair Forsberg highly recommended the MSBA 9 a.m. sessions to Board with a reminder that they are recorded.

Member Oksnevad shared the AMSD meeting on Friday, February 7 will feature a presentation on AI and education. She also shared some of the bills that are part of the legislative platform.

Member Daniels shared she will be attending COSSBA in March and would be interested to hear from anyone with ideas they would like her to focus on or share.

Meeting Adjourned

Adjourned the meeting at 7:43 p.m.

Published one time in the Vadnais Heights Press on March 12, 2025.

RAMSEY COUNTY, MINNESOTA

PUBLIC NOTICE

SOLICITATION OPPORTUNITIES

Ramsey County releases solicitation opportunities on DemandStar as an alternative method of public notice pursuant to Section 331A.03 of the Minnesota Statutes. Individuals may go to the “How to Contract with Ramsey County” section of the “Doing Business with Ramsey County” webpage at ramseycounty.us/ContractWithRamsey to access registration information. If you are new to DemandStar, please follow the DemandStar registration instructions on the “How to Contract with Ramsey County” webpage. Access to all Ramsey County documents is free if the instructions that are posted are followed. You may call 651-266-8072 or email ProcurementTeam@ramseycounty.us if you need assistance.

Ramsey County is accepting only electronic Request for Bids (RFBs) responses submitted through DemandStar. Public openings are conducted digitally, as a video conference. See the link above for details.

To view current solicitations, please go to: <https://bit.ly/3W8XWan>

SOLICITATION: RFB-PRMG33263-KB

OPENING DATE: 4/3/2025

PROJECT DESCRIPTION: RAMSEY COUNTY THROUGH THE PROPERTY MANAGEMENT DEPARTMENT SEEKS A PRIME CONTRACTOR TO PROVIDE ALL SUPPLIES, EQUIPMENT, MATERIAL, LABOR, AND INCIDENTALS FOR THE RAMSEY COUNTY FAMILY CENTER/ALDRICH ARENA PARKING LOT SEPARATION PROJECT.

PRE-SOLICITATION RESPONSE CONFERENCE: 2001 VAN DYKE STREET, MAPLEWOOD, MN 55109. 3/202025. 9:30 AM CST.

SOLICITATION: RFB-PRMG33820-KB

OPENING DATE: 4/17/2025

PROJECT DESCRIPTION: RAMSEY COUNTY, THROUGH THE PROPERTY MANAGEMENT DEPARTMENT, SEEKS QUALIFIED CONTRACTORS TO PROVIDE COMMERCIAL LOT SWEEPING SERVICES FOR RAMSEY COUNTY FACILITIES.

Published one time in the Vadnais Heights Press on March 12, 2025.

STATE OF MINNESOTA, COUNTY OF RAMSEY DISTRICT COURT, SECOND JUDICIAL DISTRICT

COURT FILE NO. 62-PR-25-140

CASE TYPE: INFORMAL PROBATE

NOTICE OF INFORMAL PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS

In re the Estate of

Agnes Elizabeth Yapel, a/k/a Agnes E. Yapel,

Decedent

TO ALL INTERESTED PERSONS AND CREDITORS:

Notice is hereby given that an application for informal probate of the above-named Decedent's Last Will dated November 21, 2003 (“Will”) has been filed with the Probate Registrar, and the application has been granted.

Notice is also given that the Probate Registrar has informally appointed the following: Timothy J. Yapel, PO Box 1077, Chardon OH 44024, as personal representative of the Estate of the Decedent. Any heir, devisee or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative. Unless objections are filed pursuant to Minn. Stat. § 524.3-607, and the court otherwise orders, the personal representative has full power to administer the Estate, including, after 30 days from the date of issuance of letters, the power to sell, encumber, lease or distribute real estate.

Any objections to the probate of the Will, or to the appointment of the personal representative, must be filed with this court, and will be heard by the court after the filing of an appropriate petition and proper notice of hearing. 62-PR-25-140 Filed in District Court

Notice is also given that, subject to Minn. Stat. § 524.3-801, all creditors having claims against the Estate are required to present the claims to the personal representative or to the Court Administrator within four (4) months after the date of this Notice, or the claims will be barred.

Dated: March 4, 2025

Laura J. Stevens Probate Registrar

Michael F. Upton, Court Administrator

Attorney for Personal Representative

Paul D. Funke

Attorney License No.: 395366

Funke Law

3820 Cleveland Avenue North, Suite 500

Saint Paul MN 55112

Telephone: 651-332-8700

E-Mail: Paul@funkelawoffice.com

Published two times in the Vadnais Heights Press on March 12 and 19, 2025.

STATE OF MINNESOTA, COUNTY OF RAMSEY DISTRICT COURT, SECOND JUDICIAL DISTRICT

PROBATE DIVISION

COURT FILE NO. 62-PR-24-1013

AMENDED NOTICE OF REMOTE HEARING ON PETITION FOR DESCENT OF PROPERTY

In re the Estate of:

David Charles Strom,

Decedent.

A Petition for Determination of Descent has been filed with this Court. The Petition represents that the Decedent died more than three years ago, leaving property in Minnesota and requests the probate of Decedent's last Will, if any, and the descent of such property be determined and assigned by this Court to the persons entitled to the property.

Any objections to the Petition must be filed with the Court prior to or raised at the hearing. If proper, and no objections are filed or raised, the Petition may be granted. If objections are filed, another hearing may be scheduled.

Any charitable beneficiary may request notice of the probate proceeding be given to the attorney general pursuant to Minnesota Statute Section 501B.41, Subdivision 5.

NOTICE IS GIVEN that the Petition will be heard using remote technology on **Friday, April 18, 2025, at 11:00 a.m.** by this Court using remote technology via zoom. Information on how to participate in the remote hearing can be obtained by calling the Court at 651-266-8145.

NOTICE IS FURTHER GIVEN that this Notice shall be published in a legal newspaper in Ramsey County once per week for two consecutive weeks in a row and by mailing a copy of this Notice at least 14 days prior to the hearing date to all interested persons and persons who have filed a demand for notice.

BY THE COURT:

Michael Upton, Court Administrator

BY: Benjamin Linker, Deputy Court Administrator

Date: February 26, 2025

Attorney for Petitioner:

Kristine M. Erickson

Rosenmeier Law Office, LLC

210 Second Street NE

Little Falls, MN 56345

Attorney License No: 0398204

Phone: (320) 632-5458

Email: k.erickson@littlefallslaw.com

Published two times in the Vadnais Heights Press on March 5 and 12, 2025.

STATE OF MINNESOTA, COUNTY OF RAMSEY DISTRICT COURT, SECOND JUDICIAL DISTRICT

CASE TYPE 2: CONDEMNATION

COURT FILE NO. 62-CV-25-742

JUDGE EDWARD SHEU

AMENDED NOTICE OF HEARING

County of Ramsey,

Petitioner,

v.

Bruce W. Kelley, Loraine Kelley, Spirit Master Funding X, LLC., Northwoods Entertainment, LLC., Schwing America, Inc., Branch Investments, L.L.P., Muller Family Theatres, Drake Properties, LLC., Northern States Power Company d/b/a Xcel Energy, Holiday Diversified Services, LLC., North Oaks Amoco, Inc., Holiday Stationstore, Maple Bank, Board of Water Commissioners of the City of St. Paul, Presbyterian Homes of North Oaks, Inc., North Oaks Office Center, LLC., Wells Fargo Bank National Association, U.S. Bank National Association, City of White Bear Township, City of North Oaks, County of Ramsey,

and all other parties unknown having any claimed right, title or interest in the premises herein, together with the unknown heirs or devisees, if any, of the parties that may be deceased, and including unknown spouses, if any, Respondents.

IN THE MATTER OF THE
CONDEMNATION OF CERTAIN LAND

TO THE RESPONDENTS HEREIN ABOVE NAMED:
You, and each of you, are hereby notified that on the 8th day of May 2025, at 10:00 a.m. via ZOOM before Judge Edward Sheu, Petitioner will present to the above-named court a Petition now on file herein for condemnation of certain land for highway purposes. Parties wishing to appear at the remote hearing at **10:00 a.m. on May 8, 2025**, can join by logging into <https://zoom.us/join>. After connecting, enter the following Meeting ID and Passcode:

Meeting ID: 161 154 3923

Passcode: 129107

If you plan to appear by ZOOM, please notify the petitioner's attorney listed below in order to receive a copy of any proposed exhibits and orders provided to the court. You are not required to notify the petitioner's attorney, but failure to do so may prevent you from having access to the exhibits and proposed orders submitted.

The object of the Petition is to acquire by “quick take” condemnation under the right of eminent domain the real property interests as described in the Petition. This notice is amended to change the transfer of title and right of possession to an effective date of May 15, 2025. The original notice, through either error or inadvertence, contained a scrivener's error stating an incorrect date of June 1, 2025.

The land desired and proposed to be taken are situated in Ramsey County, Minnesota, and are described in the Petition, together with the names of all persons appearing of record or known to Petitioner to be the owners of said land or interested therein including all whom Petitioner has been able by investigation and inquiry to discover, together with the nature of the ownership of each as nearly as can be ascertained.

At the hearing, the County of Ramsey will ask the Court for an order permitting payment to the respective owners or deposit with the Court an amount equal to Petitioner's approved appraisal of value of the parcels described in the Petition, thereby transferring title and the right to possession of the property to the County of Ramsey effective May 15, 2025. Furthermore, the County of Ramsey will ask the Court to ascertain the allocation of funds so deposited and to establish a procedure for the withdrawal of those funds. Neither payment to the respective owners nor deposit with the Court shall prejudice or affect the right of a respective party to apply for additional payment in this proceeding. Finally, the County of Ramsey will ask the Court to establish procedures by which commissioners shall hear all allegations and proofs of persons interested herein.

A party wishing to challenge the public use or public purpose, necessity, or authority for a taking must appear at the court hearing and state the objection or must appeal within 60 days of a court order, and a court order approving the public use or public purpose, necessity, and authority for the taking is final unless an appeal is brought within 60 days after service of the order on the party. Furthermore, a party wishing to be heard as to the appointment of the commissioners who will ascertain the amount of damages must appear at the court hearing.

Any person not appearing at the hearing, or otherwise filing a notice of appearance with the district court, may not be notified of further hearings or actions related to the Petition.

Dated: February 27, 2025

JOHN J. CHOI

Ramsey County Attorney

By: Scott Schwahn (#0222239)

Kevin S. Plaisance (#0504690)

Assistant Ramsey County Attorneys

360 Wabasha St. N., Suite 100

St. Paul, MN 55102

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(651) 266-3178 (Plaisance)

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kevin.plaisance@co.ramsey.mn.us

Attorneys for Petitioner

Published three times in the Vadnais Heights Press on March 5, 12 and 19, 2025.

STATE OF MINNESOTA, COUNTY OF RAMSEY DISTRICT COURT, SECOND JUDICIAL DISTRICT

CASE TYPE 2: CONDEMNATION

COURT FILE NO. 62-CV-25-742

JUDGE EDWARD SHEU

PETITION

County of Ramsey,

Petitioner,

v.

Bruce W. Kelley, Loraine Kelley, Spirit Master Funding X, LLC., Northwoods Entertainment, LLC., Schwing America, Inc., Branch Investments, L.L.P., Muller Family Theatres, Drake Properties, LLC., Northern States Power Company d/b/a Xcel Energy, Holiday Diversified Services, LLC., North Oaks Amoco, Inc., Holiday Stationstore, Maple Bank, Board of Water Commissioners of the City of St. Paul, Presbyterian Homes of North Oaks, Inc., North Oaks Office Center, LLC., Wells Fargo Bank National Association, U.S. Bank National Association, City of White Bear Township, City of North Oaks, County of Ramsey,

and all other parties unknown having any claimed right, title or interest in the premises herein, together with the unknown heirs or devisees, if any, of the parties that may be deceased, and including unknown spouses, if any, Respondents.

IN THE MATTER OF THE
CONDEMNATION OF CERTAIN LAND

TO THE DISTRICT COURT ABOVE NAMED
The County of Ramsey brings this Petition and respectfully states and alleges:

I.

That this proceeding is taken pursuant to law in the name of and on behalf of the County of Ramsey, State of Minnesota, by John J. Choi, the

Continued on next page.

duly elected, qualified and acting County Attorney, at the request of the Board of County Commissioners of Ramsey County, as shown by County Board Resolution No. B2023-052, dated April 4, 2023, a certified copy of which is attached hereto as Exhibit A and made a part hereof.

II.

That the County of Ramsey also deems it necessary, expedient, and for a public use and purpose to obtain by “quick take” condemnation under the right of eminent domain the permanent easements and temporary construction easements in the lands as described in this Petition, together with all structures, trees, shrubs, grass and herbage to be damaged thereby.

III.

In the attached Exhibit B, where a “permanent easement” is identified, the interests being conveyed include all rights necessary for the construction, operation, and maintenance of all public right-of-way and utility uses now known or adopted in the future. Such rights include, but are not limited to, the right: to remove and use all plants, trees, ground cover, and natural growth now existing, or later planted or grown; to permanently grade or alter the grade of the land, and to remove and use all earth and other material not reasonably necessary for lateral and subjacent support; to limit or allow the location, number, and related characteristics of access from the remainder property to the public right-of-way; to store equipment or supplies; to access, both ingress and egress, from the most reasonably convenient rights-of-way; to remove any physical improvements or fixtures that interfere with its use as a public right-of-way; and to exclude from the area any use or improvement that conflicts with the rights conveyed herein. Reasonable and convenient access to the remainder will be maintained.

IV.

In the attached Exhibit B, where a “temporary easement” is identified, the interests being conveyed include all rights of possession and use, for a limited period of time, necessary or incidental to support the related construction project, including the right: to stage equipment or supplies; to access other portions of the construction project; to make minimal permanent alterations to the grade of the land that do not substantially impact the remainder; to remove (and restore in substantially similar condition) any plants, ground cover, or physical improvements; to access, both ingress and egress, from the most reasonably convenient rights-of-way; and to install any temporary improvements. Reasonable and convenient access to the remainder will be maintained. The term of the temporary easement shall be for 24 months beginning on June 1, 2025 and ending June 1, 2027, or for 24 months from the date when granted pursuant to order of the district court, whichever is later. In addition, the interests identified in this paragraph include the option of the Petitioner to extend the temporary easement for up to two six-month terms to be held consecutive to the original term and to each other at the monthly rate determined for the initial term.

V.

Personal property not specifically identified as being acquired, including, but not limited to, fencing, irrigation systems, pavement, curbing, or signage, or trees, shrubs, plants, or ground covering, is not included in this petition, except to the extent the above rights provide for the removal, replacement, use, or repair of such property. It is the intention of the Petitioner to address any claim of damage related to personal property destroyed, removed, lost, or otherwise damaged, but not repaired or replaced in substantially similar condition, in accordance with applicable relocation laws, including Minn. Stat. § 117.50 - .56 or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and any regulations adopted pursuant thereto.

VI.

That the purpose for which said interests in land described in this Petition are being acquired is for the widening, addition to and realignment of County Road J for the purpose of public travel and transportation and related uses, as well as bridge replacement over Highway 35E, addition of access ramps, and the implementation of curb and gutter on both sides Count Road J.

VII.

The taking in this matter is to obtain rights sufficient to support the construction and maintenance of a public highway, including related facilities. Unless specifically identified, pre-existing utility, pipeline, access, and other easements or interests shall remain in full force and effect and shall only be impaired to the extent necessary for the County of Ramsey to construct and maintain a public highway, and related uses, on the land being acquired. For any parcel being taken by this condemnation proceeding that is subject to pre-existing utility, pipeline, access, or other easements or interests, the County of Ramsey shall work as needed with the easement holder to adjust facilities to accommodate the construction or to adjust construction plans to minimize related damages.

VIII.

It is the intent of the Petitioner that reasonable access, in at least one direction, to the main thoroughfare will be maintained for any remaining interest of a property from which a permanent or temporary easement is taken.

IX.

Notwithstanding anything to the contrary contained herein, should tests or evaluations undertaken by or on behalf of the County of Ramsey indicate the possible presence of pollutants, contaminants, or hazardous substances on any of the property described in this Petition, the County of Ramsey reserves the right to defer effecting the transfer of the interest to any of the property as described herein for a reasonable time until the County of Ramsey can evaluate whether it wishes to proceed with the taking, abandon these proceedings and dismiss the Petition as to said property, or otherwise respond to such information.

Further, the County of Ramsey reserves the right to recover costs of clean-up and testing and all other damages resulting from the presence of pollutants, contaminates, or hazardous substances on the property described herein, from all potentially responsible parties in a separate legal action.

X.

That a party wishing to challenge the public use or public purpose, necessity, or authority for a taking must appear at the hearing of this Court at which the County of Ramsey, as Petitioner, shall present this Petition to the Court and state the objection or must appeal within 60 days of a Court order.

XI.

That the land in these proceedings to be taken are situated in Ramsey County, Minnesota and are more particularly described in attached Exhibit B which is made a part hereof. The names of all persons appearing of record or known to the County of Ramsey to be the owners of said land, or interested therein, including all whom the County of Ramsey has been able by investigation and inquiry to discover, together with the nature of the ownership of each, as nearly as can be ascertained, are set forth on attached Exhibit B.

XII.

The County of Ramsey hereby moves the court for an order transferring title and possession of the parcels described herein prior to filing of an award by the court appointed commissioners, pursuant to Minnesota Statutes § 117.042.

WHEREFORE, the County of Ramsey prays for an order of this Court as follows:

1. Adjudging that said taking is for a public purpose, is necessary, and is authorized by law; and
2. It be further adjudged that the County of Ramsey is entitled to take and hold such property for the public use pursuant to the Notice of Intent to Take Possession, on file with this Court; and
3. Appointing three disinterested commissioners, and at least two alternates, to ascertain and report the amount of damages that will be sustained by the several owners on account of the taking; fixing the time and place of the first meeting of the three commissioners; prescribing their compensation; establishing procedures for the disbursement of funds deposited with the district court; establishing procedures by which commissioners shall hear all allegations and proofs of persons interested herein; and requiring the commissioners to file their report with the District Court Administrator within 365 days from the date of the order appointing the commissioners unless said time be further extended by order of the Court; and

4. For such other and further relief as may be proper and pursuant to law.

Dated: February 26, 2025

JOHN J. CHOI

Ramsey County Attorney

By: Scott Schwahn (#0222239)

Kevin S. Plaisance (#0504690)

Assistant Ramsey County Attorneys

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Attorneys for Petitioner

ACKNOWLEDGMENT

The undersigned hereby acknowledges that costs, disbursements, and reasonable attorney and witness fees may be awarded pursuant to Minn. Stat. Section 549.211 to the party against whom the allegations in this pleading are asserted.

/s/ Scott Schwahn

Scott Schwahn

EXHIBIT A

RAMSEY COUNTY BOARD OF COMMISSIONERS
RESOLUTION B2023-052

Sponsor: Public Works

Meeting Date: 4/4/2023

Title: 2023 - 2027 Transportation Improvement Program

File Number: 2023-120

Background and Rationale:

Background and Rationale:

To qualify for state and federal funding and to proceed with construction projects, the Ramsey County Board of Commissioners must approve the Public Works 5-year Transportation Improvement Program (TIP). The TIP is a planning document and funding estimates identified in the TIP are reflected in the county's Capital Improvements Program Budget. Similar programs have been developed each year since 1988.

The Public Works department, annually, prepares the TIP using a collaborative process whereby the county solicits projects and input from area municipalities. Project inclusion in the TIP is based on a cooperative dialogue with municipal and state partners, along with technical analysis and consideration of funding opportunities. While funding limits will continue to challenge program delivery, communication and engagement with municipal partners ensures local needs and priorities are examined and addressed to the extent possible.

Projects included in the TIP are also looked at through the lens of the Ramsey County All Abilities Transportation Network policy, which prioritizes the most vulnerable users (i.e. pedestrians, bicyclists, people with disabilities, etc.) first.

The design, construction, and right-of-way costs identified in the TIP are estimates based on best practices in the industry. The funding landscape for transportation projects can be volatile and the ultimate delivery of the TIP is dependent on future funding levels. Partnering on projects with area communities, bordering counties, the Minnesota Department of Transportation, and other state agencies will continue to be a critical way for Ramsey County to get the most from available funds.

Recommendation:

The Ramsey County Board of Commissioners resolved to:

1. Adopt the 2023 - 2027 Public Works Transportation Improvement Program.

2. Authorize the County Engineer to prepare plans and agreements for all projects identified in the Transportation Improvement Program, and to issue solicitations in accordance with County policies and procedures and the Minnesota Department of Transportation's list of “Pre-Qualified Vendors by Work Type”.

3. Authorize the County Surveyor to execute Right of Way Plats and Certificate of Surveys for Highway projects that require the determination of existing right of way for the delineation and

/or acquisition of property, for planning studies or disposition of excess county property.

4. Authorize the County Manager to enter into contracts and agreements, and execute change orders and amendments to contracts, supplemental agreements, and agreements related to the expenditure of Transportation Improvement Program Project Funds utilizing County State Aid, Federal, State, and participating funding associated with the construction of the approved projects in the 2023 - 2027 Transportation Improvement Program or a previously approved Transportation Improvement Program in accordance with the county's procurement policies and procedures.

5. Authorize the County Engineer and County Attorney to acquire temporary easements, permanent easements, fee title, and enter into Limited Use Permits with the State of Minnesota for projects in the 2023 - 2027 Transportation Improvement Program, or previously approved Transportation Improvement Program, by negotiation or condemnation.

6. Authorize the Public Works Director to approve negotiated settlements for up to \$100,000 over the county's appraised value per parcel for temporary and permanent easements and fee title.

7. Authorize the County Manager to approve and execute purchase agreements, settlements, closing documents, Limited Use Permits, and other related real estate documentation associated with County Board approved acquisitions of real property.

8. Authorize the County Manager to approve and execute cooperative agreements and maintenance agreements with cities, counties, the state, and other governmental agencies for their participation in projects listed in the 2023 - 2027 Public Works Transportation Improvement Program or previously approved Transportation Improvement Program.

9. Authorize temporary cash loans from the County General Fund to the Road and Bridge Capital Improvement Program fund and the Wheelage Tax fund for costs of projects listed in the 2023 -2027 Public Works Transportation Improvement Program, or previously approved Transportation Improvement Program, and for maintenance project expenditures occurring before bond or wheelage tax proceeds are received pending receipt of Federal, County State Aid Highway, state and participating funds.

10. Authorize the Public Works Director to submit grant applications for state and federal funding for projects listed in the 2023 - 2027 Public Works Transportation Improvement Program.

11. Authorize the County Manager to accept grants and execute grant agreements agreeing to the grant terms and conditions for the grant award. For grants that so require, the county agrees to be responsible for any additional amount by which the cost exceeds the county's construction cost estimate and will return to the grantor any grant amount appropriated for the project but not utilized for the project under the terms of the grant agreement.

12. Authorize the County Manager to issue letters of support in place of an official Ramsey County Board Resolution for constituent cities' grant applications.

A motion to approve was made by Commissioner McGuire, seconded by Commissioner Reinhardt. Motion passed.

Aye: - 7: Frethem, MatasCastillo, McGuire, Moran, Ortega, Reinhardt, and Xiong

By: Mee Cheng, Chief Clerk - County Board

I, Jason Yang, Interim Chief Clerk - County Board, duly appointed and qualified for Ramsey County, Minnesota, do hereby certify that the foregoing is a true and correct copy of Resolution B2023-052, passed by the Board of Commissioners on 04/04/2023

Attest:

Jason Yang, Chief Clerk - County Board

Date Certified: 2/25/2025

EXHIBIT B

PARCEL 9

PERMANENT RIGHT-OF-WAY EASEMENT DESCRIPTION:

Over, under and across Parcel 9, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the County Recorder in and for Ramsey County, Minnesota.

TEMPORARY EASEMENT DESCRIPTION:

Over, under and across Temporary Easement Parcel 9, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the County Recorder in and for Ramsey County, Minnesota.

PIN: 04-30-22-11-0001– Abstract Property

ADDRESS: 5991 Otter Lake Rd., White Bear Township, MN 55110-6473

NAME	NATURE OF INTEREST
Bruce W. Kelley	Fee Owner
Loraine Kelley	Fee Owner
City of White Bear Township	Possible Special Assessments
County of Ramsey	Possible Property Taxes

PARCEL 16

PERMANENT RIGHT-OF-WAY EASEMENT DESCRIPTION:

Over, under and across Parcel 16, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the County Recorder in and for Ramsey County, Minnesota.

TEMPORARY EASEMENT DESCRIPTION:

Over, under and across Temporary Easement Parcel 16, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the County Recorder in and for Ramsey County, Minnesota.

PIN: 04-30-22-12-0011 – Abstract Property

ADDRESS: 1180 County Road J E., White Bear Township, MN 55127-6800

NAME	NATURE OF INTEREST
Spirit Master Funding X, LLC	Fee Owner
Northwoods Entertainment, LLC	Tenant
Schwing America, Inc.	Utility and Pond Easement
Branch Investments, L.L.P.	Utility, Drainage and Road Easement
Muller Family Theatres	Drainage and Utility Easement
City of White Bear Township	Possible Special Assessments
County of Ramsey	Possible Property Taxes

PARCEL 17

PERMANENT RIGHT-OF-WAY EASEMENT DESCRIPTION:

Over, under and across Parcel 17, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the County Recorder in and for Ramsey County, Minnesota.

TEMPORARY EASEMENT DESCRIPTION:

Over, under and across Temporary Easement Parcel 17, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the County Recorder in and for Ramsey County, Minnesota.

PIN: 04-30-22-12-0018 – Abstract Property

ADDRESS: 1150 County Road J E., White Bear Township, MN 55127-6800

NAME	NATURE OF INTEREST
Drake Properties, LLC	Fee Owner
Schwing America, Inc.	Utility Easement
Branch Investments, L.L.P.	Road Easement
Muller Family Theatres	Road Easement
Northern States Power Company, d/b/a Xcel Energy	Regulating and Measuring Station Easement
Holiday Diversified Services, LLC	Tenant
North Oaks Amoco, Inc.	Tenant
Holiday Stationstore	Tenant
Maple Bank	Mortgagee
City of White Bear Township	Road, Drainage, Utility, Walkway Easement and Possible Special Assessments
County of Ramsey	Drainage, Utility Easement and Possible Property Taxes

PARCEL 18

PERMANENT RIGHT-OF-WAY EASEMENT DESCRIPTION:

Over, under and across Parcel 18, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the Registrar of Titles in and for Ramsey County, Minnesota.

TEMPORARY EASEMENT DESCRIPTION:

Over, under and across Temporary Easement Parcel 18, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the Registrar of Titles in and for Ramsey County, Minnesota.

PIN: 04-30-22-21-0003 – Torrens Property Certificate of Title No. 372771

ADDRESS: 0 Centerville Rd., North Oaks, MN 55127

NAME	NATURE OF INTEREST
Schwing America, Inc.	Fee Owner
Board of Water Commissioners of the City of St. Paul	Easement
City of North Oaks	Possible Special Assessments
County of Ramsey	Possible Property Taxes

PARCEL 22

TEMPORARY EASEMENT DESCRIPTION:

Over, under and across Temporary Easement Parcel 22, RAMSEY COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49, as the same is on file and of record in the office of the Registrar of Titles in and for Ramsey County, Minnesota.

PIN: 04-30-22-21-0011 – Torrens Property Certificate of Title Nos: 544643 & 550406 (Covers Additional Lands)

ADDRESS: 5959 Centerville Rd., North Oaks, MN 55127-6812

NAME	NATURE OF INTEREST
Presbyterian Homes of North Oaks, Inc.	Fee Owner
North Oaks Office Center, LLC	Fee Owner
Wells Fargo Bank, National Association	Mortgagee
U.S. Bank National Association	Mortgagee
City of North Oaks	Possible Special Assessments
County of Ramsey	Highway Easement and Possible Property Taxes

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