

Anoka County, Mississippi River Regional Trail and Anoka County Riverfront Regional Park, Land Exchange and Acquisition Master Plan Amendment

Land exchange:

- Description of the project and equally valuable exchange
 - Anoka County Parks was recently approached by the City of Minneapolis – Water Department with a request to purchase three small county owned parcels along the Mississippi River Regional Trail in Fridley, MN. Locations are shown in Exhibits A-1 & A-2. These three parcels are bounded by East River Road to the east and the water treatment and distribution facility to the north, west and south. The water treatment facility is looking to remodel and expand and is in need of additional space.

The three identified parcels of interest total about .3 acres and are located on the west side of East River Road, approximately half-way between Riverfront Regional Park and 37th Avenue (southern county border), just south of 42nd Avenue. The Mississippi River Regional Trail follows adjacent to the Waterworks property fence and East River Road as shown in Figure 1. As a result of the recent Riverfront Regional Park redevelopment, where a new trailhead was established, the current informational kiosk located on the parcels of interest has become redundant; the use of these parcels is no longer needed.



Figure 1

The parcels of interest do have Met Council restrictive covenants recorded and according to the Regional Parks Policy Plan System Protection Strategy 2, the sale of these parcels would be considered a conversion of use and would require an equally valuable land exchange, which requires Met Council approval. Working with staff at the water treatment facility, agreement was made to replace the .3 acres with land on the north side of the waterworks facility, just south of Riverfront Regional Park, therefore the park boundary is proposed to be expanded south to encompass .33 acres and serve as replacement for the purchased parcels. Locations are shown in Exhibits A-1 to A-4.

The proposed exchange will still allow the regional trail to function as originally planned. The trail will not be impacted. The trail will remain where it is and will be adjacent to the fence

line for the Minneapolis Waterwork Facility as the trail north and south of this location are as shown in Figure 2. The expansion of the Minneapolis Waterworks facility will not impede the trail and removal of these parcels from the regional trail will not affect the overall use and intent of the regional trail.



Figure 2

The proposed replacement parcel is contiguous to the Regional Parks System by being immediately adjacent to Anoka

County Riverfront Regional Park as shown in Exhibits A-3 & A-4. The park serves as a trailhead location for Mississippi River Regional Trail.



Figure 3

Current land cover of the conveyance parcels is maintained turf grass with some trees, as shown in Figure 1, and does not contain any environmental or natural features of interest. The replacement land, while currently being used as a construction access and storage area currently, will be managed for invasive species and ultimately restored with a native seed mix once it's under County ownership. This will create a more aesthetically pleasing natural resource area than currently exists. Existing trees on site are currently being protected with fencing to keep vehicles outside of the drip lines, as shown in Figure 3. Restoration of the replacement land will also increase the biodiversity in the area.

The replacement land will also protect additional shoreline along the Mississippi River where the County has partnered with the Mississippi River Watershed Organization to address shoreline erosion issues. This exchange will not only benefit the Minneapolis Water Department by providing them the additional space needed for their expansion, it will also benefit the County by saving on the operational costs for maintenance of the trail three parcels not contiguous to parkland. Ultimately, once the land is restored, the County believes that the natural resource characteristics of the replacement parcel will be of a higher quality than the parcels proposed to be removed.

The replacement will also provide better recreation opportunities than the removed parcels. As the replacement land will become a part of the regional park, it will provide access to all the amenities the park has to offer; pavilions for picnicking, a playground, disc golf course, river access, both visually and physically at the boat launch, as well as the Mississippi River Regional Trail. The proposed parcels for removal only offer access to the regional trail.

The County believes this conversion and land exchange can be easily accommodated and will not affect the ability of the regional parks and trail system to offer the facilities and services planned for in the

future. The Mississippi River Regional Trail will continue to meet the Council standards for a regional trail and continue to function as originally planned. Trailhead facilities and rest stops are located ½ mile north and south of the site in existing regional parks and offer many more amenities than the conversion parcels.

This project has gone through the County's typical public Committee and County Board process for these sorts of small boundary adjustments. The Anoka County Board of Commissioners approved a Resolution of Support for submission of this Master Plan Amendment to the Metropolitan Council in April of 2021. In addition, Resolution authorizing the conveyance of the subject properties along the Mississippi River Regional Trail and the replacement of land adjacent to Riverfront Regional Park, which will be incorporated into the regional park boundary through the approval of this Amendment.

Once the Master Plan Amendment has been approved by the Metropolitan Council, the existing restrictive covenants on the parcels to be conveyed to the City of Minneapolis will need to be released and new restrictions shall be placed on the adjusted park boundary parcel.

Attached to this memo are the following Exhibits:

Exhibit A: Maps showing the project, equally valuable exchange and boundary change

Exhibit B: County Resolution of Support

Exhibit C: Acquisition Master Plan Amendment

Exhibit D: Existing Agreement and Restrictive Covenant

Exhibit E: Legal Descriptions



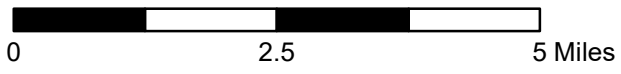
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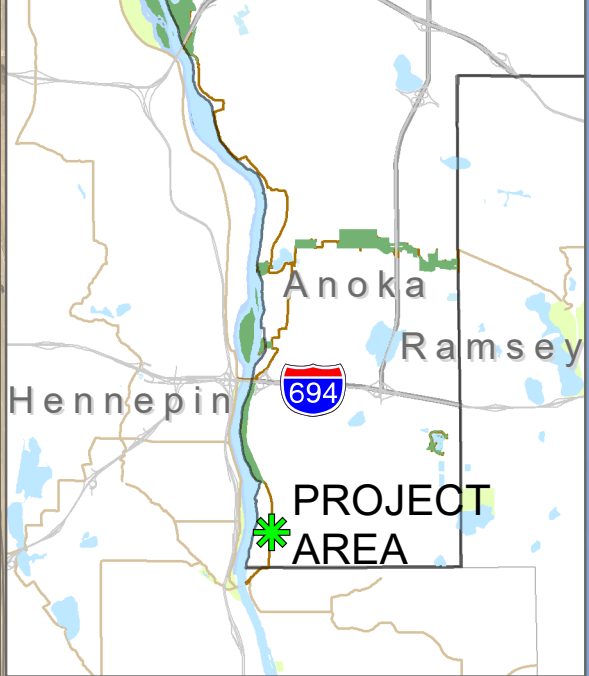
- MISSISSIPPI RIVER REGIONAL TRAIL
- EXISTING REGIONAL TRAIL
- REGIONAL PARK

LAND TO BE REPLACED
Anoka County
Riverfront
Regional Park

LAND TO BE REMOVED
Mississippi River
Regional Trail

MISSISSIPPI RIVER REGIONAL TRAIL AND ANOKA COUNTY RIVERFRONT REGIONAL PARK EXHIBIT A-1

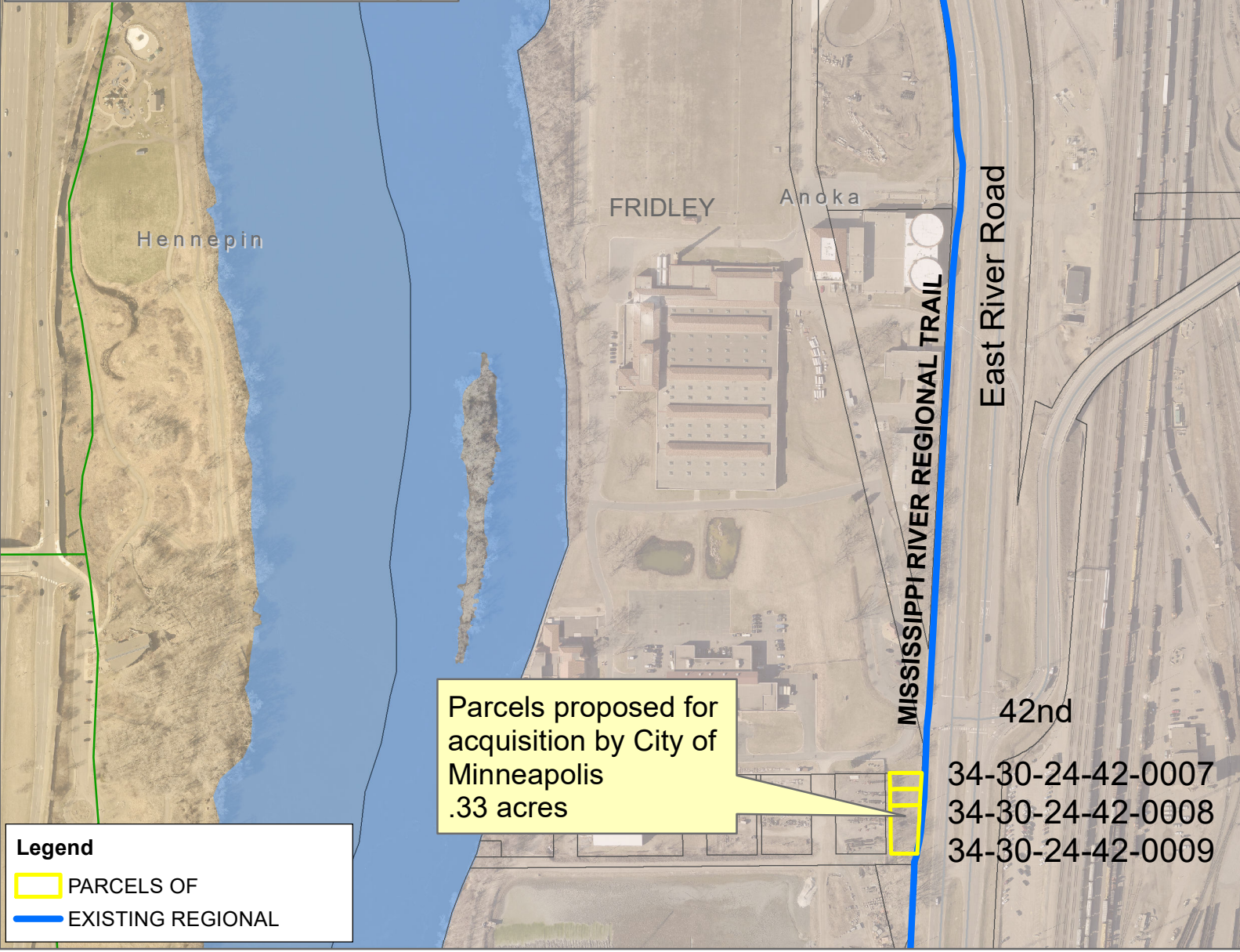




Riverfront Regional Park

Proposed Replacement Land
.33 acres

27-30-24-43-0001

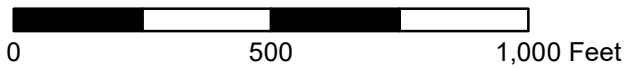


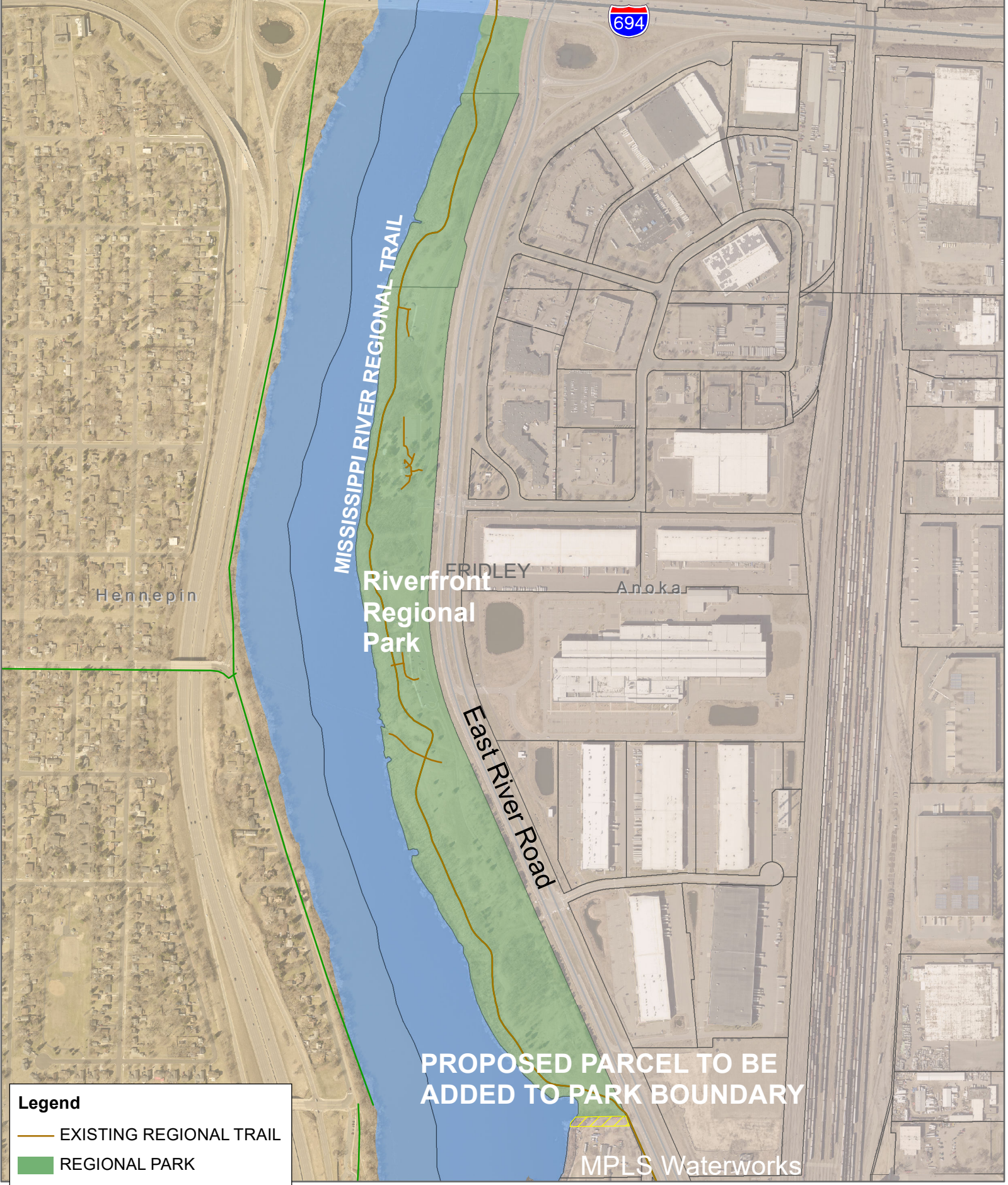
Parcels proposed for acquisition by City of Minneapolis
.33 acres

Legend

- PARCELS OF
- EXISTING REGIONAL

PROPOSED LAND EXCHANGE
CITY CONTEXT
EXHIBIT A-2





MISSISSIPPI RIVER REGIONAL TRAIL

Riverfront Regional Park

PROPOSED PARCEL TO BE ADDED TO PARK BOUNDARY

MPLS Waterworks

Hennepin

FRIDLEY

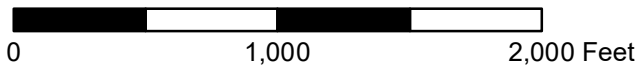
Anoka

East River Road

Legend

- EXISTING REGIONAL TRAIL
- REGIONAL PARK

PARCEL FOR INCLUSION WITHIN RIVERFRONT REGIONAL PARK EXHIBIT A-3



Riverfront Regional Park

MISSISSIPPI RIVER REGIONAL TRAIL

East River Road

FRIDLEY

Anoka

BOUNDARY ADDITION

NEW PARK BOUNDARY

Legend

- EXISTING REGIONAL
- REGIONAL

RIVERFRONT REGIONAL PARK NEW PARK BOUNDARY EXHIBIT A-4



Acquisition Master Plan Amendment for Anoka County Riverfront Regional Park:

The following provides a demonstration of the proposed boundary adjustment's consistency with the Met Council's Regional Parks Policy Plan, Chapter 4: Siting and Acquisition – Strategy 1:

- The replacement land will add approximately .33 acres to the 139-acre Riverfront Regional Park and protect an additional 55 feet of shoreline along the Mississippi River. The addition of 55 feet of shoreline along with the existing 1.3 miles of shoreline along the river will help further the Met Council's priorities of the regional system providing access to water which is critical for outdoor recreation.
- The replacement land has significant restoration potential. The current use is for storage of construction equipment and materials. The County is proposing to restore this parcel to increase the amount of naturalized areas and green space within the metro area as well as increase the biodiversity along the river. This furthers the Met Council's priority of providing quality natural areas for outdoor recreation.
- Within a 1 to 3 mile walk or bike radius, the park serves many first ring suburbs, such as Fridley, Columbia Heights, Minneapolis, Brooklyn Center and Brooklyn Park. These areas can access the park through regional trails, transit, although the closest stop is ½ mile away, and of course, by vehicle. Since the park is located in a more densely populated area, the boundary adjustment will help ensure that regional facilities are distributed proportional to the existing and forecasted development and population growth in the region.

Boundaries and acquisition costs:

There will be no cost for this acquisition as this will be an equally valuable facility exchange and acquisition will occur as soon as this boundary adjustment master plan amendment is approved by the Metropolitan Council.

While the natural resources currently existing on the parcel are lacking, the addition to the park boundary would protect another 55' of riverbank and the potential for restoration make this site very suitable for inclusion within the park boundary. As the site is currently used to store construction equipment, plans are to remove invasive tree species, plant new native trees and shrubs to buffer the park from the waterworks facility and restore the area with native grasses, similar to other areas of the park.

There are no special assessments on the parcel and based on data from the MN Pollution Control Agency and any potential contamination issues are outside the limits of this project and should not affect acquisition.

BOARD OF COUNTY COMMISSIONERS

Anoka County, Minnesota

DATE: April 13, 2021

RESOLUTION #2021-46

OFFERED BY COMMISSIONER: Meisner

RESOLUTION OF SUPPORT FOR MASTER PLAN AMENDMENT FOR ANOKA COUNTY'S RIVERFRONT REGIONAL PARK

WHEREAS, Anoka County and the Metropolitan Council share common goals in providing quality natural areas for outdoor recreation; and,

WHEREAS, the County of Anoka ("County") has worked with the City of Minneapolis, Water Department ("City") in a cooperative effort to develop a land exchange plan leading to the County's conveyance to the City of certain land that is no longer needed for park purposes and which better serves Minneapolis Water Works; and,

WHEREAS, in exchange for the conveyance of land, the County will acquire from the City an equally sized parcel with significant restoration potential to be added to Riverfront Regional Park; and,

WHEREAS, the County, through its Parks Department, proposes to restore its acquired parcel to increase the amount of naturalized areas and green space within the metro area as well as increase the biodiversity along the river; and,

WHEREAS, the County also reserved a trail easement over the land to be conveyed to the City, to maintain the required easement area for regional trail purposes; and,

WHEREAS, the Metropolitan Council requires an updated Master Plan, including the transfer of Restrictive Covenants from the County's existing parcels to its newly acquired parcels, in connection with the boundary changes to the regional park; and,

WHEREAS, the City representatives and Met Council staff have reviewed and commented on the land exchange and are in support of the plan amendment:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby adopt the Master Plan Amendment to the Riverfront Regional Park Master Plan, a copy of which is on file in the Parks Department, and authorizes its submission to the Metropolitan Council for its approval so that park development will be eligible for future Metropolitan Council grant funding.

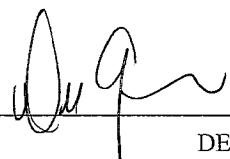
BE IT FURTHER RESOLVED that Anoka County agrees to work with the Metropolitan Council to transfer any Restrictive Covenants from existing parcels to the County's newly acquired parcels.

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Metropolitan Council, Anoka County Parks Department, and the City of Minneapolis.

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss

I, Dee Guthman, County Administrator, Anoka County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Anoka County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on April 13, 2021, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 13th day of April 2021.


DEE GUTHMAN
DEPUTY COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – LOOK	<u>X</u>	<u> </u>
DISTRICT #2 – BRAASTAD	<u>X</u>	<u> </u>
DISTRICT #3 – WEST	<u>Absent</u>	<u> </u>
DISTRICT #4 – MEISNER	<u>X</u>	<u> </u>
DISTRICT #5 – GAMACHE	<u>X</u>	<u> </u>
DISTRICT #6 – REINERT	<u>X</u>	<u> </u>
DISTRICT #7 – SCHULTE	<u>X</u>	<u> </u>

AGREEMENT AND RESTRICTIVE COVENANT

236637



Record ID 2045066

THIS AGREEMENT is made and entered into this 20th day of May, 1993, by and between the County of Anoka, a political subdivision of the State of Minnesota, and the Metropolitan Council, a political subdivision of the State of Minnesota.

WITNESSETH:

WHEREAS:

A. County of Anoka has acquired fee title in the following described real property, to-wit:

Lots 1, 2, 3, 4 and 5, Block 7, Berlin, except easement for highway, Anoka County, Minnesota.

B. The Metropolitan Council has contributed funds toward the acquisition of the interest in the real property pursuant to its grant program and a grant agreement as authorized by Chapter 563, Laws of Minnesota, 1974.

C. The grant program was established pursuant to the law to provide for the acquisition, preservation, protection, development, and betterment of regional recreational open space for public use.

- See Document for

NOW, THEREFORE, in consideration of the grant made by the Metropolitan Council to the County of Anoka and in consideration of the mutual agreements and covenants contained in this agreement, the parties agree as follows:

No sale, lease, mortgage, or other conveyance, nor the creation of any easement, restriction, or other encumbrance against the above-described real property shall be valid for any purpose unless the written approval of the Metropolitan Council or its successors is duly filed and recorded at the time of the filing and recording of the instrument to which such approval pertains, nor shall the real property be used for any purpose except regional recreational open space purposes as those purposes are from time to time defined by the Metropolitan Council or its successors, unless the Metropolitan Council or its successors shall consent to the other use or uses by written instrument duly filed and recorded and designating the nature, extent, and duration of the use for which such consent is given.

This Agreement and Restrictive Covenant may be enforced by the Metropolitan Council or its successors or by any citizen residing within the metropolitan area, as then defined, by appropriate action in the courts of the State of Minnesota.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in their respective names all as of the date first above written.

METROPOLITAN COUNCIL

Sharon G. Klumpp
By: *Sharon G. Klumpp*
Sharon G. Klumpp, Executive Director

COUNTY OF ANOKA

Dan Erhart
By: *Dan Erhart*
Dan Erhart, Chair
Anoka County Board of Commissioners

Dated: 5-11-93

John Jay McLinden
By: *John Jay McLinden*
John "Jay" McLinden
Anoka County Administrator

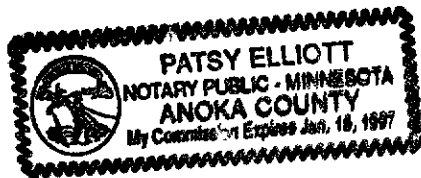
Dated: 5-11-93

THIS INSTRUMENT WAS
DRAFTED BY THE ANOKA
COUNTY ATTORNEY'S OFFICE
2100 Third Av. N.
Anoka, MN 55303

(acp\contract\met-coun.exh)

STATE OF MINNESOTA)
)ss.
COUNTY OF ANOKA)

The foregoing Agreement and Restrictive Covenant was signed before me on the 11~~th~~ day of May, 1993, for and on behalf of the County of Anoka by Dan Erhart, Chair of the Anoka County Board of Commissioners and John "Jay" McLinden, Anoka County Administrator.





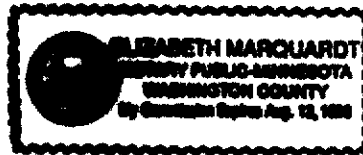
Notary Public

1/18/97

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing Agreement and Restrictive Covenant was acknowledged before me this 20th day of May, 1993 by Sharon G. Klumpp, the Executive Director of the Metropolitan Council, a Minnesota political subdivision, on behalf of the Metropolitan Council.

Elizabeth Marquardt
Notary Public



8/12/98

Tony Palumbo X 566

1046884

BK. 220 PG. 178 NO. 69778
236637

Office of REGISTRAR OF TITLES
STATE OF MINNESOTA
COUNTY OF ANOKA

I hereby certify that the within instrument
was filed in this office on JUN 21 1993
at 2:15 o'clock P. M.

Edward M. Treska, Registrar of Titles

By T. Antonio River
Deputy Registrar of Titles

Numerical
Grantor
Grantee
Recorded
Checked
Margin
Tr. Index

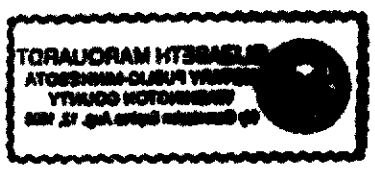
OFFICE OF COUNTY RECORDER

STATE OF MINNESOTA, COUNTY OF ANOKA

I hereby certify that the within instru-
ment was filed in this office for record
on the JUN 21 1993

at 2:15 o'clock P. M., and was duly recorded.

Edward M. Treska, County Recorder
By E. Treska
Capacity



NO COPY

file in TORRANO

EXHIBIT A - LAND EXCHANGE - CONVEYANCE

ANOKA COUNTY TO CITY OF MINNEAPOLIS

Lots 1 and 2, Block 7, BERLIN, Anoka County, Minnesota.
(Abstract Property)

Lots Three (3), Four (4), and Five (5), Block Seven (7), BERLIN, Anoka County, Minnesota.
(Torrens Property - Certificate of Title No. 69778)

Subject to the highway easement of all that part of said lots which lie easterly of the line run parallel with and distant 100 feet westerly of the following described line. Beginning at a point on the south line of Section 34, Township 30, Range 24, Anoka County, Minnesota, distant 512.7 feet east from the south quarter corner thereof, thence run northeasterly at an angle of 80 degrees 43 minutes 30 seconds with said south section line for 289.1 feet, thence deflect to the left at an angle of 5 degrees 37 minutes for 2400 feet there terminating.

Reserving unto Anoka County, a 10.00 foot wide permanent easement for trail purposes, over, under and across Lots 1, 2, 3, 4, and 5, Block 7, BERLIN, Anoka County, Minnesota, lying 5.00 feet easterly of, as measured at right angles to, and 5.00 feet westerly of, as measured at right angles to, the following described centerline:

Commencing at the southeast corner of Section 34, Township 30, Range 24, Anoka County, Minnesota; thence North 00 degrees 53 minutes 57 seconds West, bearing assumed, along the east line of said Section 34, a distance of 2636.40 feet to the East Quarter corner of said Section 34; thence South 89 degrees 30 minutes 15 seconds West 1999.11 feet to the point of beginning of the centerline to be described; thence South 01 degrees 26 minutes 08 seconds West 87.82 feet; thence South 03 degrees 23 minutes 14 seconds West 58.44 feet; thence South 04 degrees 44 minutes 09 seconds West 77.59 feet; thence southerly 30.89 feet along a tangential curve, concave to the west, having a radius of 250.00 feet and a central angle of 07 degrees 04 minutes 44 seconds; thence South 11 degrees 48 minutes 53 seconds West, tangential to said curve, 61.32 feet; thence South 02 degrees 37 minutes 48 seconds West 40.00 feet and said centerline there terminating.

EXHIBIT B - LAND EXCHANGE - REPLACEMENT

CITY OF MINNEAPOLIS TO ANOKA COUNTY

The northerly 43.55 feet of that part of the following described property lying west of County State Highway No. 1 also known as East River Road:

All that part of Government Lot 4, Section 27, Township 30 North, Range 24 West described as follows:

Commencing at a point formed by the intersection of the center line of the old United States Military road so-called, and the line dividing Sections 27 and 34, said township and range, which point is 2245.3 feet west of the southeast Section corner of said Section 27; thence northerly along the center line of said old United States Military road on a deflection of 1 degree and 38 minutes east from a line at right angles to the south line of Section 27 a distance of 366.4 feet; thence west parallel with the south line of said Section 27 a distance of 460 feet more or less to the easterly shore of the Mississippi River, thence southerly along the easterly shore of the Mississippi River intersects the south line of said Section 27; thence east along the south line of Section 27 to the point of beginning, Anoka County Minnesota.

PIN: 27-30-24-43-0001

AREA: 14,281 ± sq. ft. 0.33 ± Acres