

AGREEMENT FOR THE DIVISION OF MAINTENANCE RESPONSIBILITIES FOR A TOWN LINE ROAD

This agreement is hereby entered into this 2nd day of November, 2011, by and between the Town Board of Supervisors of Springvale Township, Isanti County, Minnesota and the Town Board of Supervisors of Bradford Township, Isanti County, Minnesota.

WHEREAS, Springvale Township and Bradford Township share the following described town line road(s):

**325th Avenue Northwest
T.36N – R.24W – S.33 and S.34**

Legal: West along the south line of Section 34, 2937 feet, more or less, to the SW corner thereof; thence continuing West along the south line of Section 33, 4290 feet, more or less, to the point of intersection with County Road #1 and there terminating.

**326th Lane Northwest, Goldenrod Street Northwest, and Evergreen Street Northwest
T.36N – R.24W – S.26
West Briar Development**

WHEREAS, Minn. Stat. § 164.12 directs town boards to divide town line roads and enter into an agreement for the maintenance of those roads;

WHEREAS, Minn. Stat. § 164.13 requires towns with town line roads to bear jointly and in equal shares the expense of constructing and maintaining any bridge on the road(s) as made necessary by the construction of a drainage ditch or by reason of the changing, widening or alteration of any drainage ditch, or by reason of altering or changing of any watercourse;

NOW, THEREFORE, in consideration of the mutual promises and benefits that each party shall derive here from, Springvale Township and Bradford Township hereby enter into this agreement for the division of maintenance responsibilities for the above described town line roads.

Division of the Road(s): The town line road right-of-way shall be divided for maintenance purposes as follows:

Springvale Township shall maintain the following described portion of the line road:

Springvale Township will do the grading, snowplowing, and
Rights-of-way maintenance on the north side of 325th Avenue Northwest.

Springvale Township will do the right-of-way maintenance of their recorded portion of
326th Lane Northwest, Goldenrod Street Northwest, and Evergreen Street Northwest

Bradford Township shall maintain the following described portion of the line road:

Bradford Township will do the snowplowing and blacktop crack filling on both township portions of 326th Lane Northwest, Goldenrod Street Northwest, and Evergreen Street Northwest.

Bradford Township will do the right-of-way maintenance of their recorded portion of Goldenrod Street Northwest, and Evergreen Street Northwest

General Division of Maintenance Responsibility: Each Township will be responsible for conducting routine inspections and maintenance of their respective portions of the line road(s). Routine maintenance shall include, at a minimum, the following:

Maintenance responsibility is listed above under each township.

Specific Division of Maintenance Responsibilities and Activities: In addition to the general division of maintenance responsibilities, the Townships agree to the following specific provision related to the division of specific maintenance responsibilities and required activities.

Cost for Drainage Structures: In addition to the requirements of Minn. Stat. § 164.13 regarding bridges, the Townships agree that the cost to repair or replace culverts on any portion of the town line road will be discussed and agreed upon by the Townships on a case by case basis.

Tree Removal: Removing trees (as defined in Minn. Stat. § 160.22, subd. 7a) from the town line road right-of-way as needed to avoid interference with travel, maintenance, or safety will be the responsibility of the Township responsible for the maintenance of the portion of the town line road in which the trees are located. If the trees are outside of the jurisdictional boundaries of the Township, it may request the assistance of the Township with jurisdiction to provide assistance to achieve the removal. Any costs incurred by the responding Township to assist in the removal of the trees shall be paid by the requesting Township.

Gravel and Dust control: Gravel and dust control products will be discussed and agreed upon by the Townships on a case by case basis. Township will agree upon a division of cost when gravel and dust control are applied to the above named town line road.

DIVISION OF COSTS

A Township interested in initiating an activity that requires the sharing of costs between the Townships, or with the expectation of sharing costs, shall notify and obtain approval from the other Township before undertaking the activity. If the parties do not agree to the need, scope, or other aspects of the proposed activity, the matter may be submitted as a dispute to the Isanti County Board.

DISPUTES

If a disagreement arises regarding the fairness of the division of maintenance responsibilities provided in this agreement and the parties are not able to resolve the disagreement, the issue will be submitted to the county board for a determination of the proper division of responsibility as provided in Minn. Stat. § 164.12, subd. 6.

AMENDMENTS

Any alterations, amendments, deletions and waivers of the provisions of this agreement shall be valid only when reduced to writing and duly signed by each Township.

ENTIRE AGREEMENT

It is understood and agreed that the entire agreement of the parties is contained herein and that this agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous line road agreements presently in effect between the parties concerning the above described road(s).

IN WITNESS WHEREOF, the parties have caused this agreement to be executed as of this 2nd day of November, 2011.

Springvale Township

Bradford Township

By the Town Board of Supervisors:

By the Town Board of Supervisors:

Steve Lindgren
Town Board Chair

Richard Hansen
Town Board Chair

Attest: Michelle Kleven
Town Clerk

Attest: Thomas Anderson
Town Clerk