



Minnesota Department of Transportation

MnDOT – Metropolitan District
1500 West County Road B-2
Roseville, MN 55113

June 29, 2016

Steve Wolgamot
1837 Park Avenue
Mahtomedi, MN 55115

Re: Hwy 244

Dear Mr. Wolgamot;

This letter is in response to you June 23, 2016 letter.

In regards to MN Statute 161.18, your May 25th letter did not ask about the applicability of the statute to the state you just pointed out that there was a statute. It seems clear that the statute was written for the state and the state would now have any property rights that existed along the roadway that the political subdivisions had at the time the state took over the road.

161.18 PRIOR EASEMENTS VEST IN STATE.

When any road or highway, including any city street or portion thereof, is taken over by the state as a trunk highway, the state as to any such road, street, or highway or portion thereof, without compensation paid therefor, shall be vested with all rights, titles, easements, and appurtenances thereto appertaining, held by or vested in any of the political subdivisions of the state prior to the time such road, street, or highway is taken over by the state.

History: [1959 c 500 art 2 s 18](#); [1973 c 123 art 5 s 7](#)

However, at this time we do not know if the property rights that the state now has are adequate to accommodate improvements along the highway. The existing right of way along the highway has not been extensively researched or field verified. We have found with spot improvements in the area that there are discrepancies and no one source of information can be relied upon. In some areas it appears the actual roadway pavement does not lie within the apparent property limits.

Sincerely,

Adam Josephson
Metro District – East Area Manager

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