

Exhibit H

Form of Public Infrastructure Conveyance

PUBLIC INFRASTRUCTURE CONVEYANCE

BUILDING PERMIT #20 21 216954 (Gateway Park)

This Public Infrastructure Conveyance Agreement (“Agreement”) is made and entered into effective June 9, 2022, by and between PROJECT PAUL, LLC, a Delaware limited liability company (“Developer”), and CITY OF SAINT PAUL, MINNESOTA, a municipal corporation existing under the laws of the State of Minnesota (“City”).

NOW, THEREFORE, in consideration of the mutual obligations of the parties hereto, each of them does hereby covenant and agree as follows:

1. Notification. The Developer has delivered to the City a duly executed Certificate of Completion and, thereafter, the City has determined that the applicable components of the Public Infrastructure as described in Exhibit A hereto (the “Infrastructure”) appear to have been constructed in accordance with the approved plans and specifications and the preliminary and final plat and has so notified the Developer in writing. As a result, via this Agreement, the Developer is conveying the Property to the City in accordance with the Site Improvement Performance Agreement, dated December 19, 2019. The acceptance of the Infrastructure does not take effect until the Saint Paul City Council accepts the Infrastructure via Resolution.

2. Representations. The Developer hereby represents, certifies, and promises to the City the following:

- (a) With respect to the Property, Developer has complied with the provision of the Redevelopment Agreement, dated December 19, 2019, including that the Property conveyed to the City in this Agreement is completely constructed, is free of defects, and is free and clear of any encumbrances or liens.
- (b) A final walk-through inspection with appropriate City staff has been completed and any required corrective work required prior to acceptance (written punch list) determined through said walk-through or as determined under the normal and ordinary course of on-site observations by City staff or those hired by the City to complete such observations, has been completed.
- (c) The following documents respecting the Property are complete, accurate, and have been filed with the appropriate department(s) of the City of Saint Paul:
 - (i) As-Built Plans acceptable to the Department of Parks and Recreation are on file with said Department.
 - (ii) Certificate of Completion signed by Engineer of Record who is a licensed Professional Engineer with the State of Minnesota per Minnesota State Statute 326.
 - (iii) Operation and Maintenance plans.

[Exhibit N to Site Improvement Performance Agreement (Ford Site)]

- (d) Developer has undertaken any and all necessary actions to assign warranties it owns or possesses on or with the Property to the City.
- (e) Developer will duly execute and deliver any other documents as may be reasonably and customarily required in connection with the transfer of the Property to the City.

3. Conveyance. The Developer hereby dedicates, conveys and assigns in good title to the City of Saint Paul, together with all hereditaments and appurtenances all rights, entitlements, benefits, permits, approvals, and licenses that pertain to, with, or in the Property in its entirety, without reservation or exception, together with all warranties, free and clear of any mortgage, pledge, hypothecation, encumbrance, lease, license, lien or others security interest. If necessary, Developer shall execute a recordable Warranty Deed to be recorded with the Ramsey County Registrar's Office.

IN WITNESS WHEREOF, the City and Developer have caused this Agreement to be duly executed in their names and on their behalf, all on or as of the date first above written.

PROJECT PAUL, LLC,
a Delaware limited liability company

By: Ryan Companies US, Inc., a Minnesota
corporation, its Sole Member

By: 
E1430C9DF3EB48A...

Name: Maureen Michalski

Its Vice President



CITY OF SAINT PAUL DEPARTMENT OF PARKS AND RECREATION

Certificate of Compliance

I hereby certify that work completed conforms to the certified plans and specifications, and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.

Gateway Park

Project Description

20 21 216954

Permit Number

#42242

6/9/2022

(Signature and License No.)

Date

CONFLUENCE

Organization (Print)

1/2012



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

June 14, 2022

RYAN COMAPNIES US INC
533 S 3RD ST SUITE 100
MINNEAPOLIS MN 55415
USA

Temporary Certificate of Occupancy

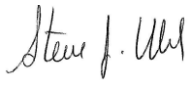
Property Address	2290 FORD PKWY - GATEWAY PARK		
Property Owner	CITY OF ST PAUL/ELLEN STEWART		
Owner's Address	25 W 4TH ST - 400 CITY HALL ANNEX ST PAUL MN 55102 USA		
Use of Building	Park A (Gateway Park)		
Automatic Sprinkler			
Building Permit #	21 216954	Occupancy Classification	
Construction Type		Applicable Building Code	2015 MSBC
If occupancy is restricted, in the box to the right , describe the portion of the building approved for occupancy or any conditions limiting use of the building:		Misc. items from St. Paul Parks, CPMI, and CRWD. Verify elevations per CPMI/CRWD, replace dead trees/plants/grass. Install missing benches. TCO will depend on when landscape items can be replaced.	

To Whom It May Concern:

The above described building or portion of building has been inspected and is in compliance with applicable code requirements for the occupancy classification and use listed above.

All commercial/industrial building, all multi-family dwellings of three units or more and all non-owner occupied one and two family dwellings also require a Fire Certificate of Occupancy issued by the DSI-Fire Safety Inspection Division. When required, the Fire Certificate of Occupancy has been issued concurrent with this Building Official's Certificate of Occupancy. Inspections for the required renewal of the Fire Certificate of Occupancy will occur on a schedule established by the Fire Safety Inspection Division.

Sincerely,

A handwritten signature in black ink that reads "Steve J. Ubl". The signature is written in a cursive style with a large initial 'S'.

Steve J. Ubl
Building Official



June 13, 2022

Ryan Companies US, Inc.
533 South Third Street, Suite 100
Minneapolis, MN 55415

RE: Gateway Park
FINAL ACCEPTANCE and CONVEYANCE

Dear Mr. Koch:

A final walk through has been completed by the City of Saint Paul or representatives of the City and it has been established, that nearly all punch list items have been addressed to the satisfaction of the Department of Parks and Recreation.

Work still needing to be completed as of this date:

- Finish mowing and trimming grass per specs prior to site opening. Remove clippings, etc. as usual.
- Repair section of dead sod.
- Prune any dead limbs off of trees.
- Install log benches in overlook in Basin #1.
- Remove exterior fence and repair/reseed the grass/seed that was damaged by the fence feet.
- Bee lawn seeded areas will need to be established. Maintain until established per Landscape Architect (Confluence) recommendations and specs.
- Native seeded areas will need to be established. Maintain until acceptable per Landscape Architect (Confluence) recommendations and specs. This will be punched later as part of ordinance permit.
- Warranty does not begin on the bee lawn seeded areas or the native seeded areas until they are established and fully accepted by the city. Windsor will need to continue maintenance on these after Park A opens until accepted. This includes weeding, reseeding, fertilizing, mowing/weedwhip, etc as required per specs. Confluence to track this and provide written notification to the City to advise when these areas can be considered fully established and acceptable per specifications.
- It has come to the City's attention that there is a question as to whether the berm along the north side of the north basin #1 is high enough to meet design grades. As-built survey points sent by Ryan to CRWD appear to conflict with the as-builts sent by Ryan to Public Works. Public Works is currently reviewing these survey points with WSB and CRWD. Any corrective work required by Public Works to rectify this will also be a condition of acceptance of Park A.

Work within the stormwater easement is subject to CRWD permit outside of this approval.



SAINT PAUL
MINNESOTA

DEPARTMENT OF PARKS & RECREATION
ANDY RODRIGUEZ, CPRP, DIRECTOR

City Hall Annex
25 West 4th Street, Suite 400
Saint Paul, MN 55102
Tel: 651-266-6400

Therefore, the letter date above establishes the beginning of all warranties for work items in Gateway Park except for those items noted above. The warranty for those will be in accordance with the completion date and the specification.

Thank you for your attention and cooperation in completing this project.

Sincerely,

Andy Rodriguez

[Andy Rodriguez \(Jun 13, 2022 21:34 CDT\)](#)

Andy Rodriguez
Director of Parks and Recreation

Attachments:

Exhibit H

Certificate of Compliance

Park A Closeout Documents – Ryan Response

Park Closeout Requirements – Ryan Response

c: A. Messer
Supervisor
Operations