## Exhibit A

Ordinance Permit 20200010402

#### Exhibit H

#### Form of Public Infrastructure Conveyance

#### PUBLIC INFRASTRUCTURE CONVEYANCE

#### **ORDINANCE PERMIT # 20200010402**

This Public Infrastructure Conveyance Agreement ("<u>Agreement</u>") is made and entered into effective <u>December 15</u>, 20 <u>21</u>, by and between PROJECT PAUL, LLC, a Delaware limited liability company ("<u>Developer</u>"), 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. <u>Notification</u>. 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 <u>Exhibit A</u> hereto (the "<u>Infrastructure</u>") 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. <u>Representations.</u> 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, constructed in compliance with all applicable Standards as described in the St. Paul Department of Public Works' Construction of Infrastructure by Private Developers Policy, 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 (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) Original, reproducible As-Built Plans acceptable to the Department of Public Works, City of Saint Paul 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) For sewer systems, video records of televised inspections of sewer mains have been submitted by permittee and approved by Sewer Utility staff.
- (iv) For sewer systems, sewer connection permit information on file with Public Works.
- (v) Operation and Maintenance plans.
- (vi) All other permit requirements as set forth in the Ford site ordinance permit policy.
- (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. <u>Conveyance</u>. 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 warrantees, 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

Dy.

Name:

MARGEN C. MICHALS

ItS VICE PRESIDENT

STATE OF Minnesota )
COUNTY OF Henry )

The foregoing instrument was acknowledged before me this 15 day of December, 2019, by Maurel Michals Li, the Vice President of Ryan Companies US, Inc., a Minnesota corporation, the Sole Member of Project Paul, LLC, a Delaware limited liability company, on behalf of the limited liability company.

pany. Briana M Koch NOTARY PUBLIC MINNESOTA

My Commission Expires Jan. 31, 2025

Notary Public

#### Exhibit G

#### Form of Completion Certificate



## CITY OF SAINT PAUL DEPARTMENT OF PUBLIC WORKS

## **Certificate of Compliance**

I hereby certify that work completed under this Ordinance Permit and materials provided for installation conform to the appropriate specifications and provisions of and the Department of Public Works, City of Saint Paul, Minnesota, Standard Supplemental Specifications for Construction of Public Infrastructure by Private Developers Policy, as amended, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Storm Sewer Ordinance Permit #2		
Project Description		
20200010402		
Permit Number		
For B G	24411	10/18/2021
(Signature and License No.)		Date
Kimley-Horn and Associates Inc.		
Organization (Print)		

1/2012

#### Exhibit G

#### Form of Completion Certificate



#### CITY OF SAINT PAUL DEPARTMENT OF PUBLIC WORKS

### **Certificate of Compliance**

I hereby certify that work completed under this Ordinance Permit and materials provided for installation conform to the appropriate specifications and provisions of and the Department of Public Works, City of Saint Paul, Minnesota, Standard Supplemental Specifications for Construction of Public Infrastructure by Private Developers Policy, as amended, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Highland Bridge Stormwater Management Infrastructure Ford Pkwy Diversion

Project Description

Whither P. Motype

OP#2B 20200010402B

Permit Number

Matthew R. Metzger license number 47651

October 22, 2021

(Signature and License No.)

Date

Barr Engineering Co.

Organization (Print)

1/2012

Certification is based on periodic site visits, to the best of my knowledge, information and belief based on the information available at this time of certification. Certification is for work completed prior to attached punchlist items' completion.

MRM

# SAINT PAUL

#### CITY OF ST PAUL

Department of Public Works 25 West 4th Street 1500 City Hall Annex Saint Paul, MN 55102

## ORDINANCE PERMIT

	OFFICE USE ONLY
Application	No. 2
Application	Date 7/21/2020
SPR File#	
⊃ermit No.	20200010402

Saint Paul, MN 55102				Permit No	3. 20200010402	
Type of Permit (select one only):						
☐Base Roadway		□Roadway Sidew			Sanitary Sewer Collection System	
□Bridge		☐Roadway Traffic			■ Storm Sewer Collection System	
☐Retaining Wall		☐Sanitary Drop Sl	naft	⊔S	☐ Storm Sewer Treatment System	
Phase:			Adjacent Lots/Blocks):			
One	Cretin Ave: 1914 South to 1913 South to 1911 (Diversion). 1948 South to 1937. 1964 south to 1963 Hillcrest Ave: 1911 West to 1910. 1933 West to 1924. Civic Plaza: 1926 South to 1953. 1910 South to 1959. Bohland Ave: 1953 East to 1986. 1986 North and West to 1990. Saunders Ave: 1706 East to 1734; Village Way: 1840 SouthEast to 1839 and East to 1855; Beechwood: 1828 East to 1887.					
<b>Description of Work:</b> [Include the incorporated by reference.]	e description provid	led in the permit ap	plication and all subsequer	nt amendm	ents or revisions, which are hereby	
The scope of work to be installed under Storm Sewer Ordinance Permit #2 is the furnishing and installation of all storm sewer piping, stubs and structures in the areas identified in the locations section above along with the attached "Storm Sewer OP #2 Exhibit." Estimated quantities of piping based on material type, sizing, and structures based on size can be seen as an attachment to this application labeled "Storm Sewer OP#2 SEQ."  Applicable plan sheets related to this permit are listed below and attached to this application:  217, 155-158, 165-166, 183, 186-187, 191, 195-196						
Applicant Contact Person:	Contact Person T	Title:	Contact Person Telepho	ne:	Contact Person Email:	
Will Rollo	Sr. Project Enginee	er	612-257-3536		will.rollo@ryancompanies.com	
Bond Co.:			Bond Amount:		Bond No.:	
Travelers Casualty & Surety Co			\$73,609,974.00	-	107185400	
Insurance Co.:			Insurance Certificate N	0.:		
Zurich American Insurance Compan	у		NA			
Permit Conditions:						
all respects to the Redevelopme Department of Public Works Orc & Specifications. The permit sh	ent Agreement (in dinance Permit Pr all be available fo	ncluding all Lego rocess Document, or display at the s	al Requirements as defi , and the Department of ite referred to herein an	ined by A Public W nd shown i	s and contractors shall conform in Article 1), the City of Saint Paul Yorks List of Applicable Standards to any Police Officer or Inspector r to be made with the City of Saint	

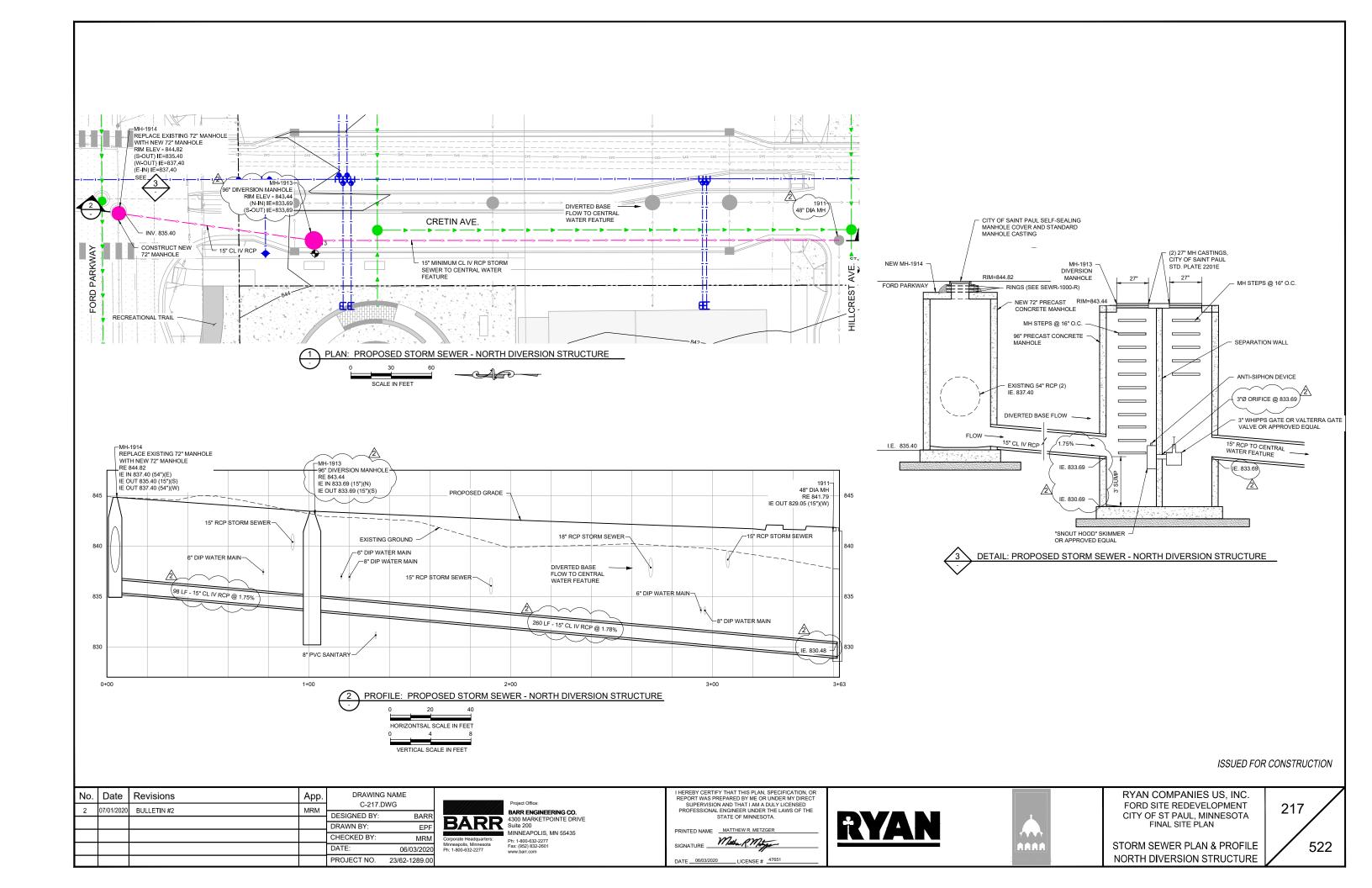
## THIS PERMIT MAY BE REVOKED AT ANY TIME BY THE DIRECTOR OF PUBLIC WORKS

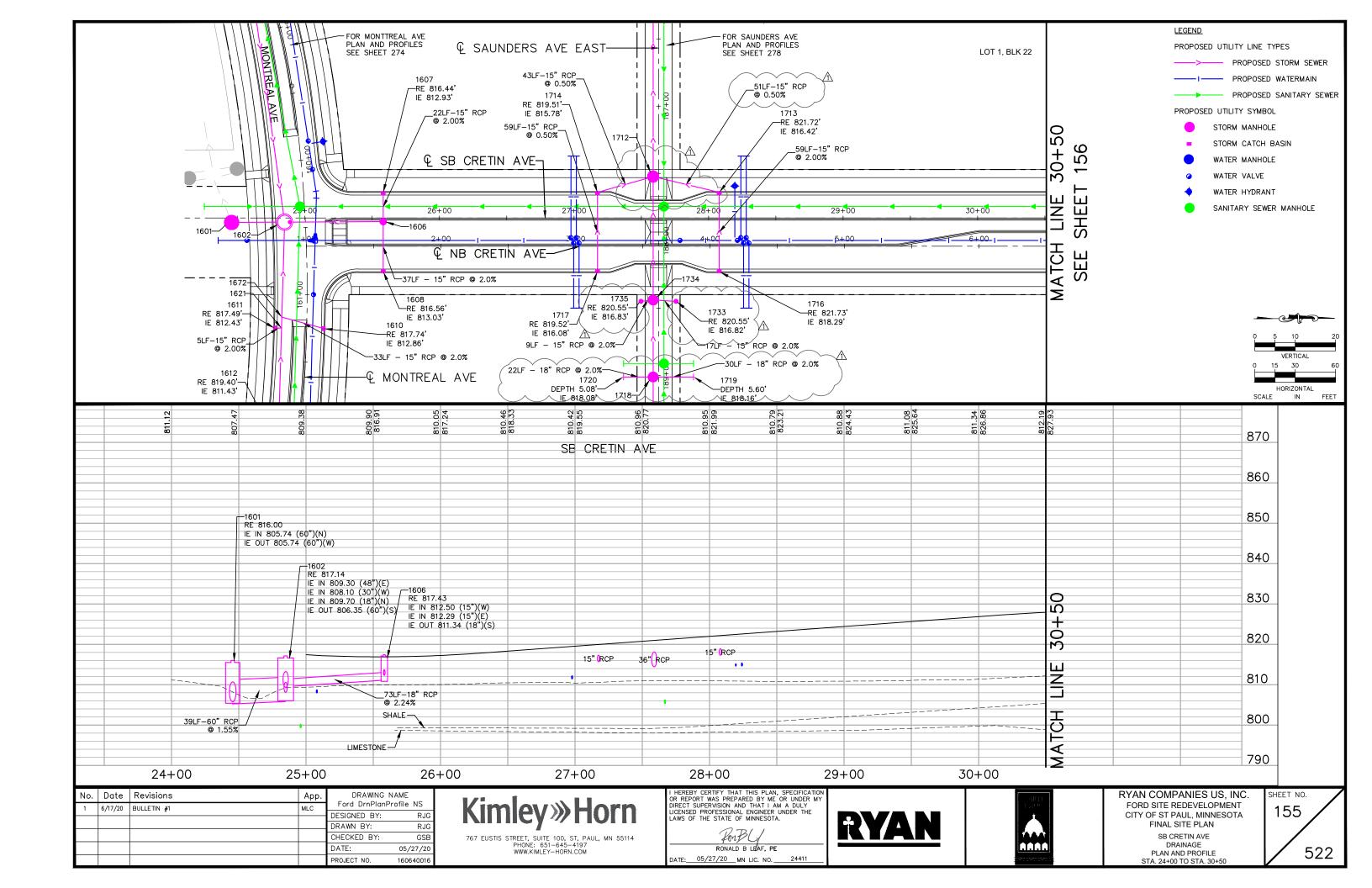
A PERMIT FOR THE ABOVE DESCRI	· · · · · · · · · · · · · · · · · · ·	
Signature	Technical Lead	7/28/2020 Date
David Kuebler		
Printed Name		

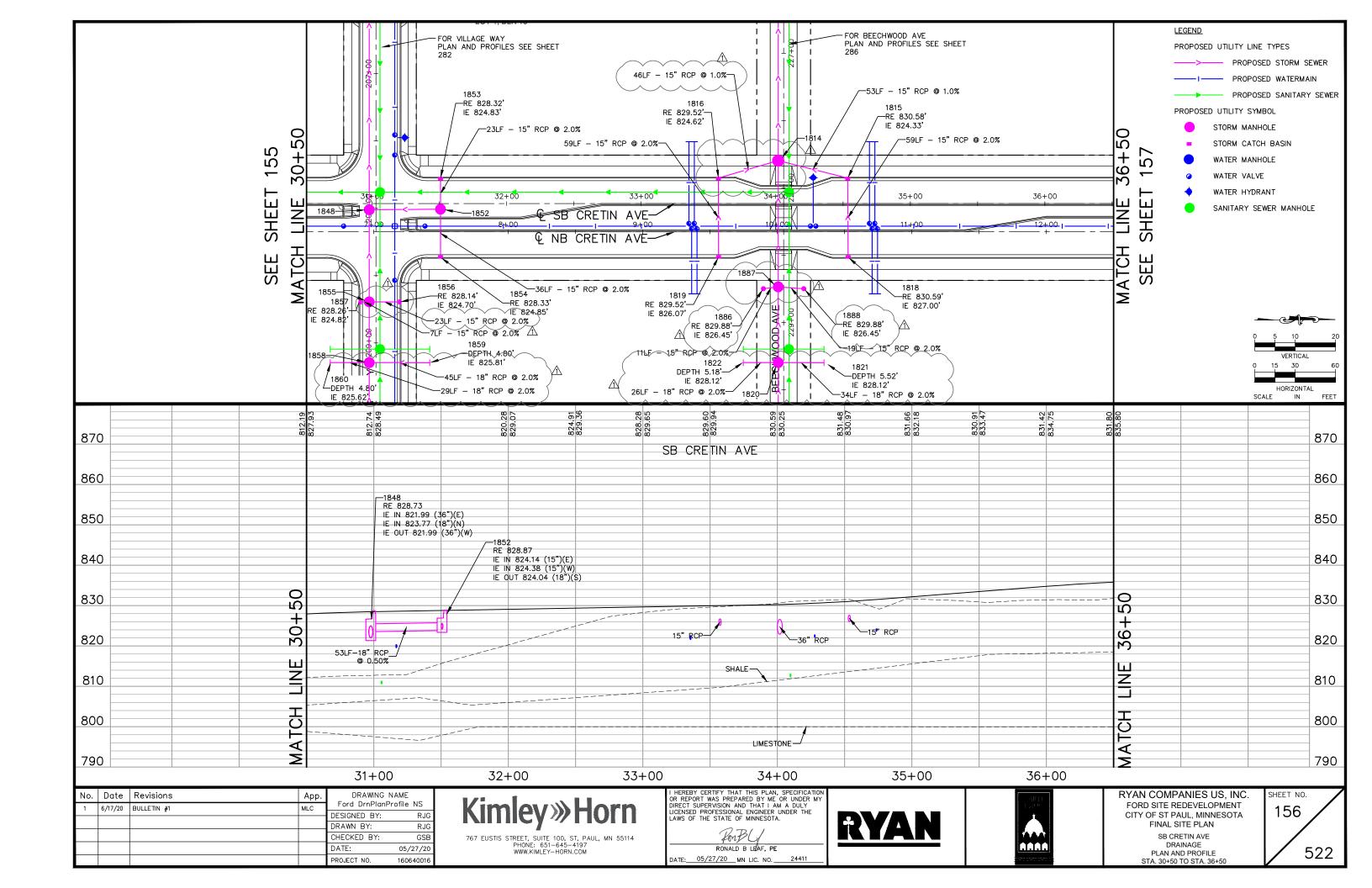
PERMIT NUMBER 20200010402

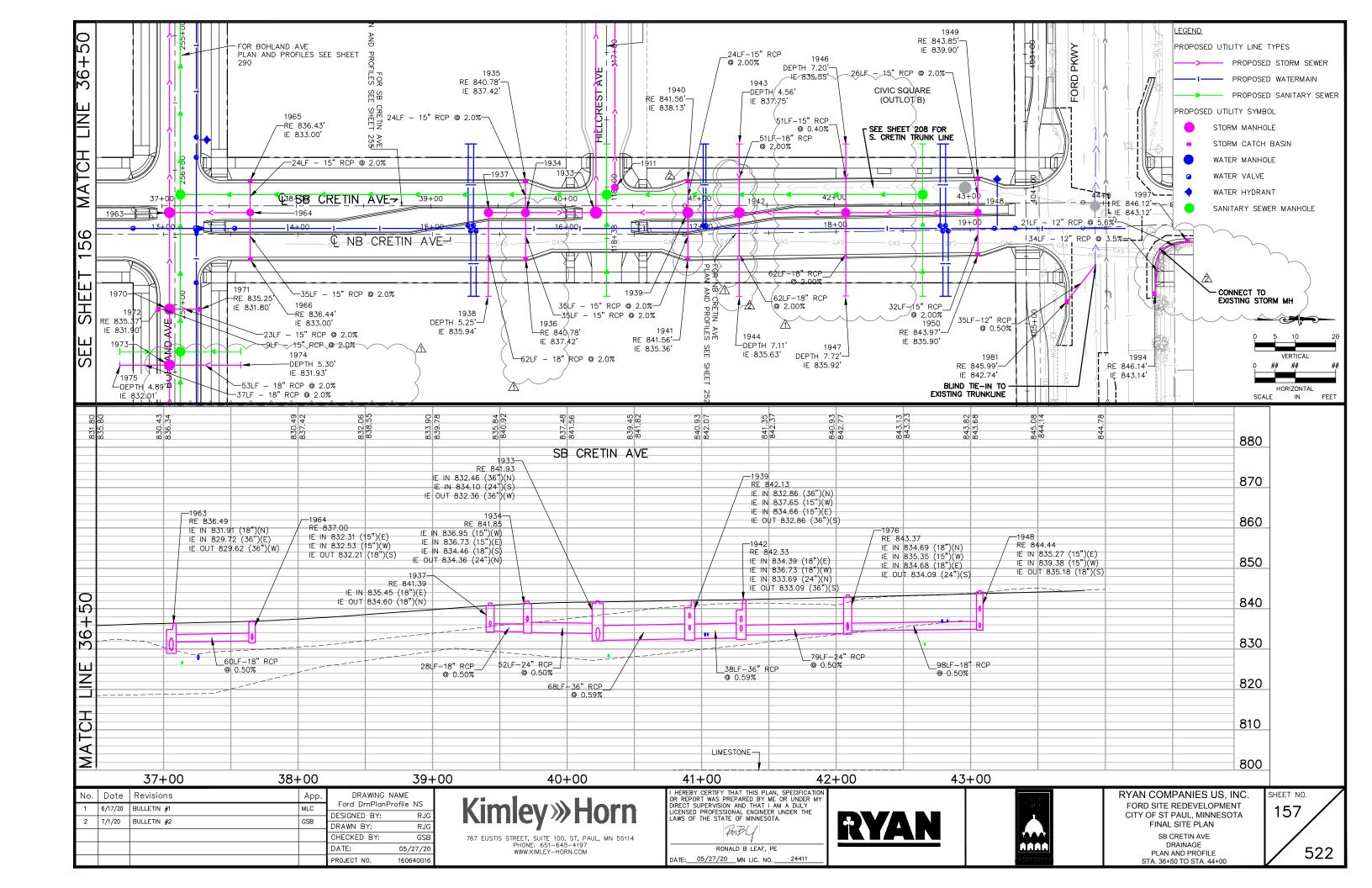
## ITEMS TO BE COMPLETED PRIOR TO ACCEPTANCE OF INFRASTRUCTURE AND RELEASE OF PERMIT

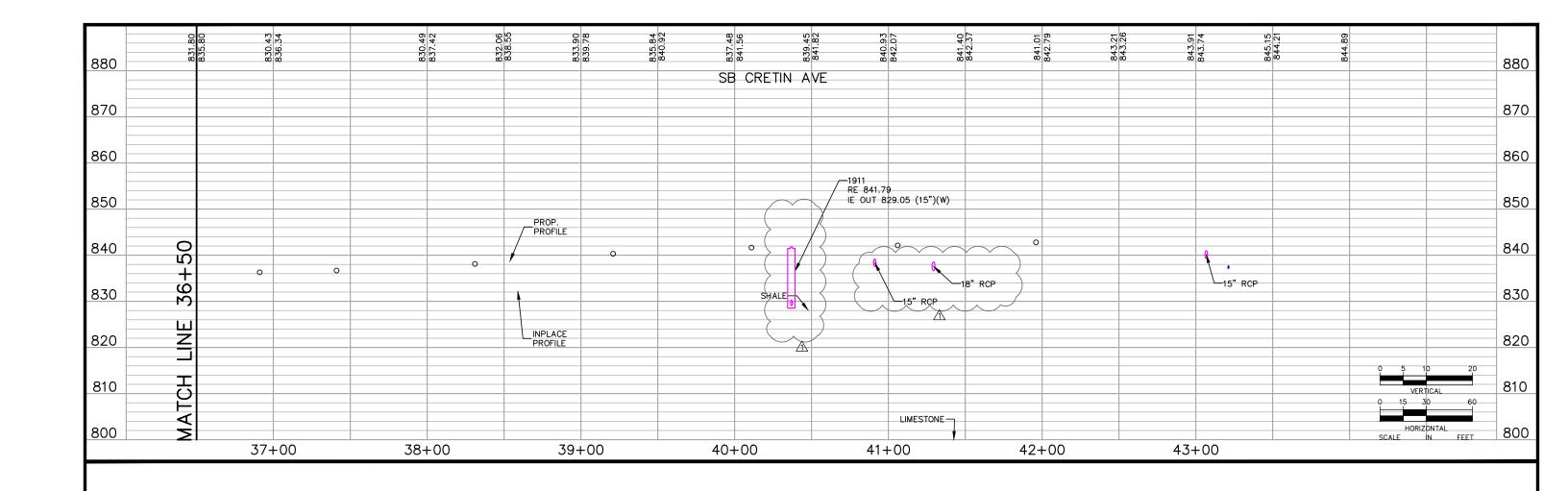
Prior to acceptance of a the satisfaction of the C		nits, the following items must be completed to	
	) work completed;		
	of Metropolitan Council Environmental Serv	Engineer of Record, provided to Public Works; ices and MN Pollution Control Agency Permits	
☐ Full compliance with quality assurance;	project Quality Management Plan or other do	ocument(s) governing quality management and	
limited to: City Public W	npliance with all applicable City and non-Cit orks Right-of-Way Office, Minnesota Polluti lution Discharge Elimination System permit	on Control Agency, Capitol Region Watershed	
NA Documentation of roa	dway materials at compaction of grading and	l base, plant mix design report, strength;	
☑ Video of all sanitary s galleries, draintile, sedim Public Works Sewer Divi	ewer mains and laterals, storm sewer mains a ent control structures, weir structures, etc.) in sion;	and laterals, and any structural BMP's (pipe astalled under any permit, provided to the	
	s for paving connections or stubs installed to to Private Service Lateral Permit Drawings;		
	olic Works notified for signal and lighting insinstalled, poles and wiring installed, and head	spection of pole field layouts (staking), d positioning and phasing/detection verification	
NA For infrastructure with	nin parks: Documentation that Parks Departm	nent has been notified of completion status;	
All applicable operati	on and maintenance manuals provided to Pub	olic Works; and	
🖄 Certificate of Complia	ance signed and submitted to City by Enginee	er of Record.	
RELEASE OF PERMIT:			
Permit No	Council Res. No	Permit Date	
Release Authorized by	Titl	le	











No.	Date	Revisions	App.	DRAWING N	
1	6/17/20	BULLETIN #1	MLC	Ford DrnPlanPr	rofile NS
				DESIGNED BY:	RJG
				DRAWN BY:	RJG
				CHECKED BY:	GSB
				DATE:	05/27/20
				PROJECT NO.	160640016



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

### RONALD B LEAF, PE

DATE: 05/27/20 MN LIC. NO. 24411

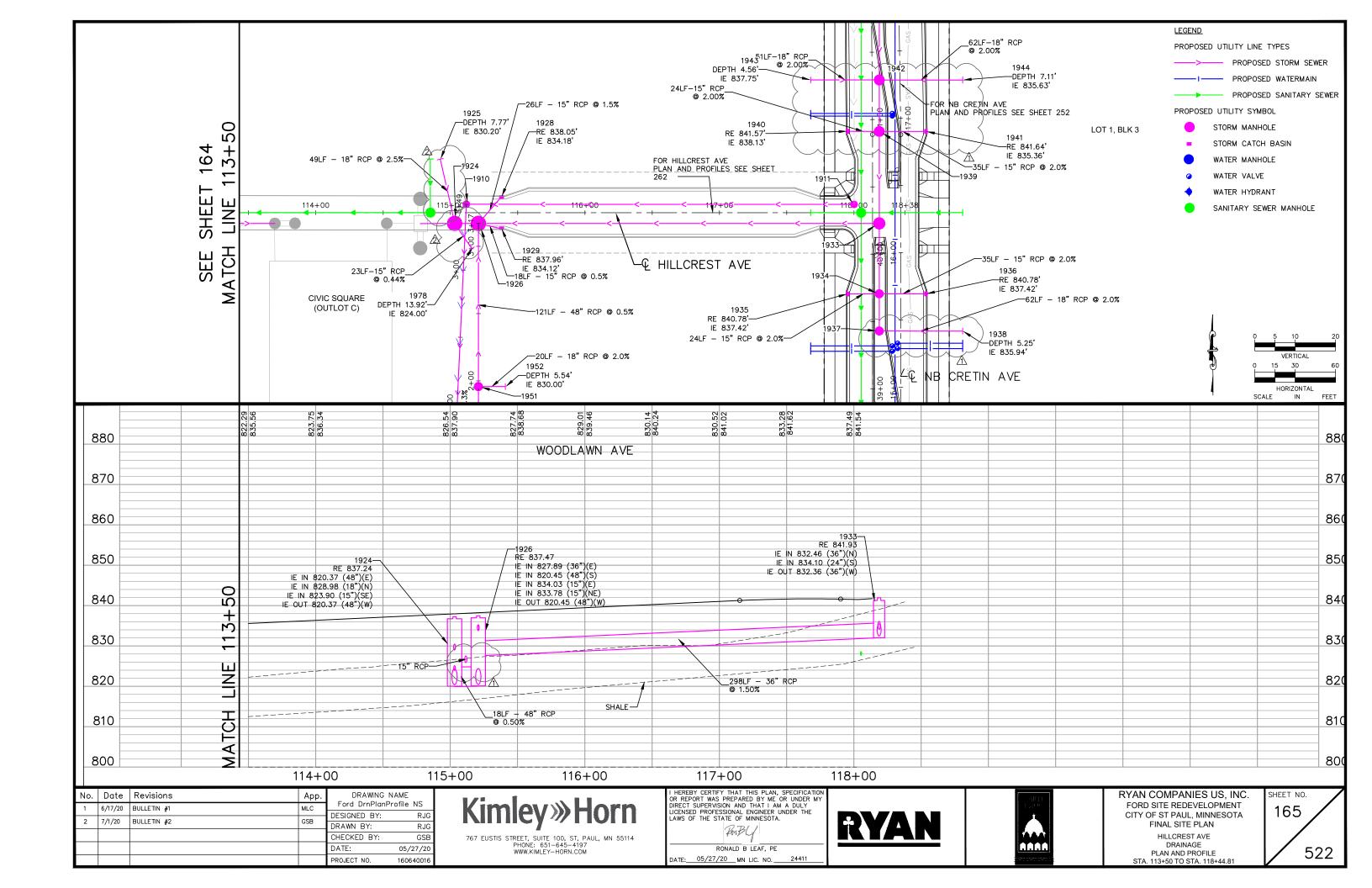


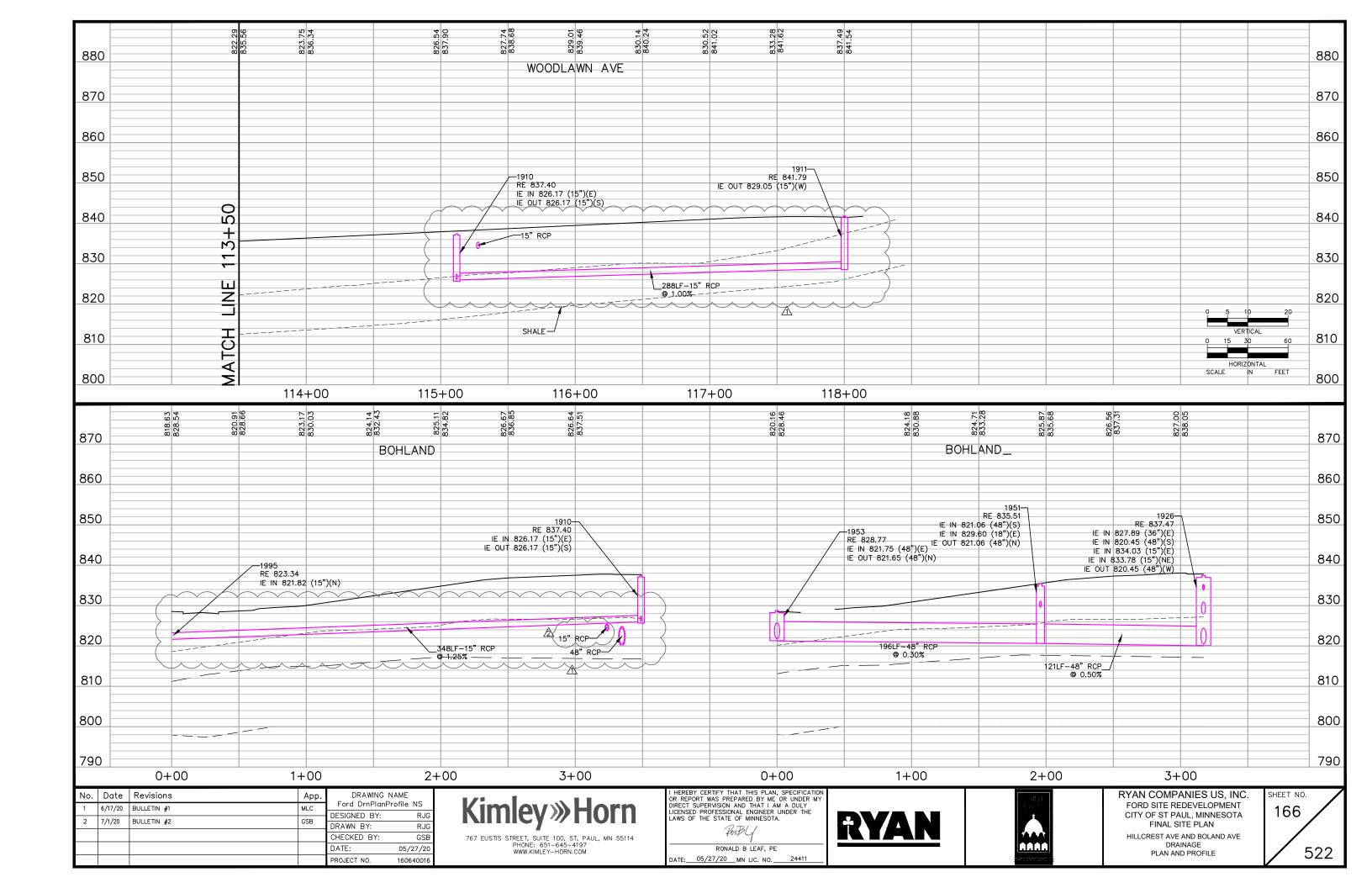


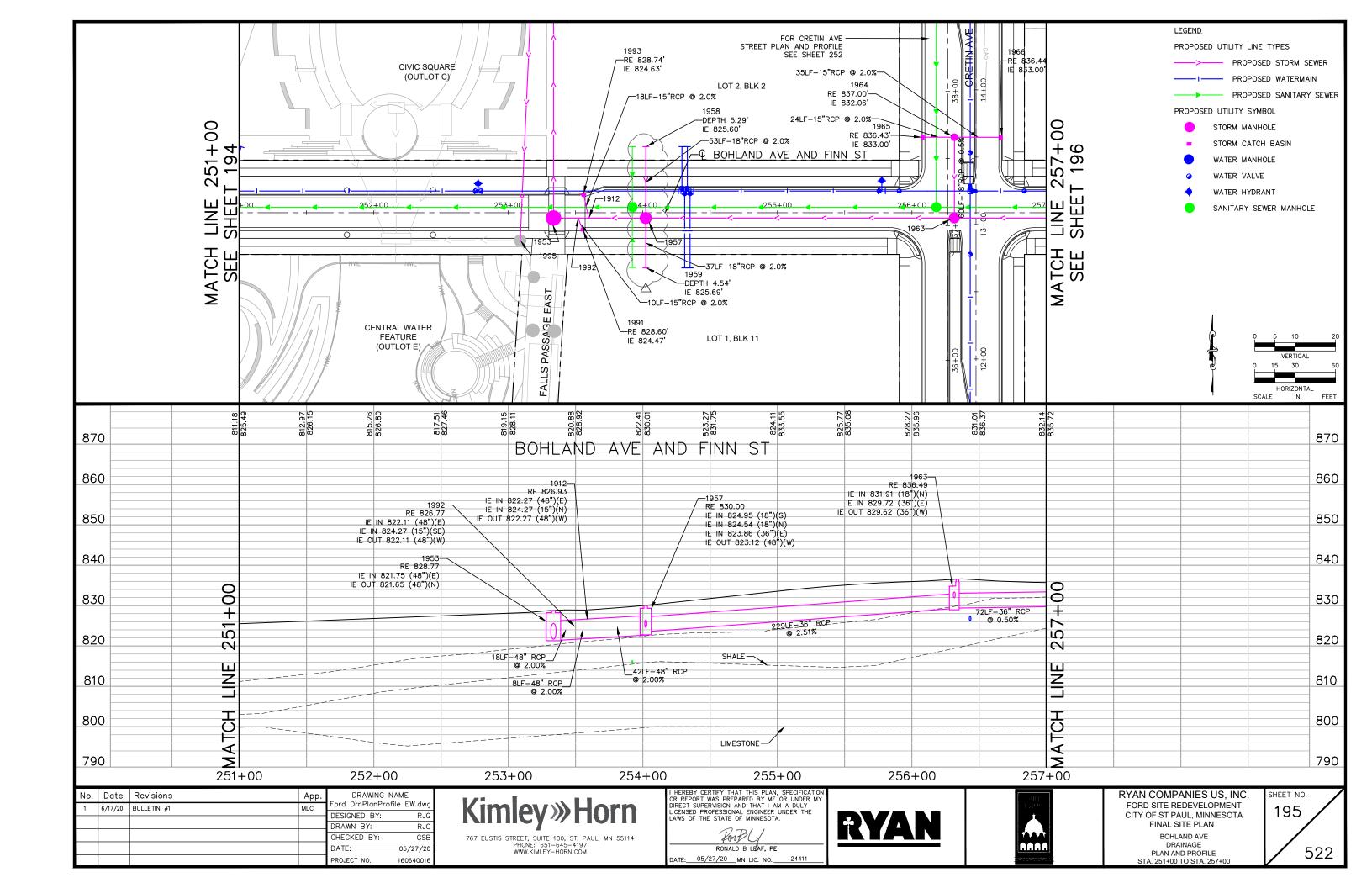
RYAN COMPANIES US, INC.
FORD SITE REDEVELOPMENT
CITY OF ST PAUL, MINNESOTA
FINAL SITE PLAN
SB CRETIN AVE
DRAINAGE
PROFILE

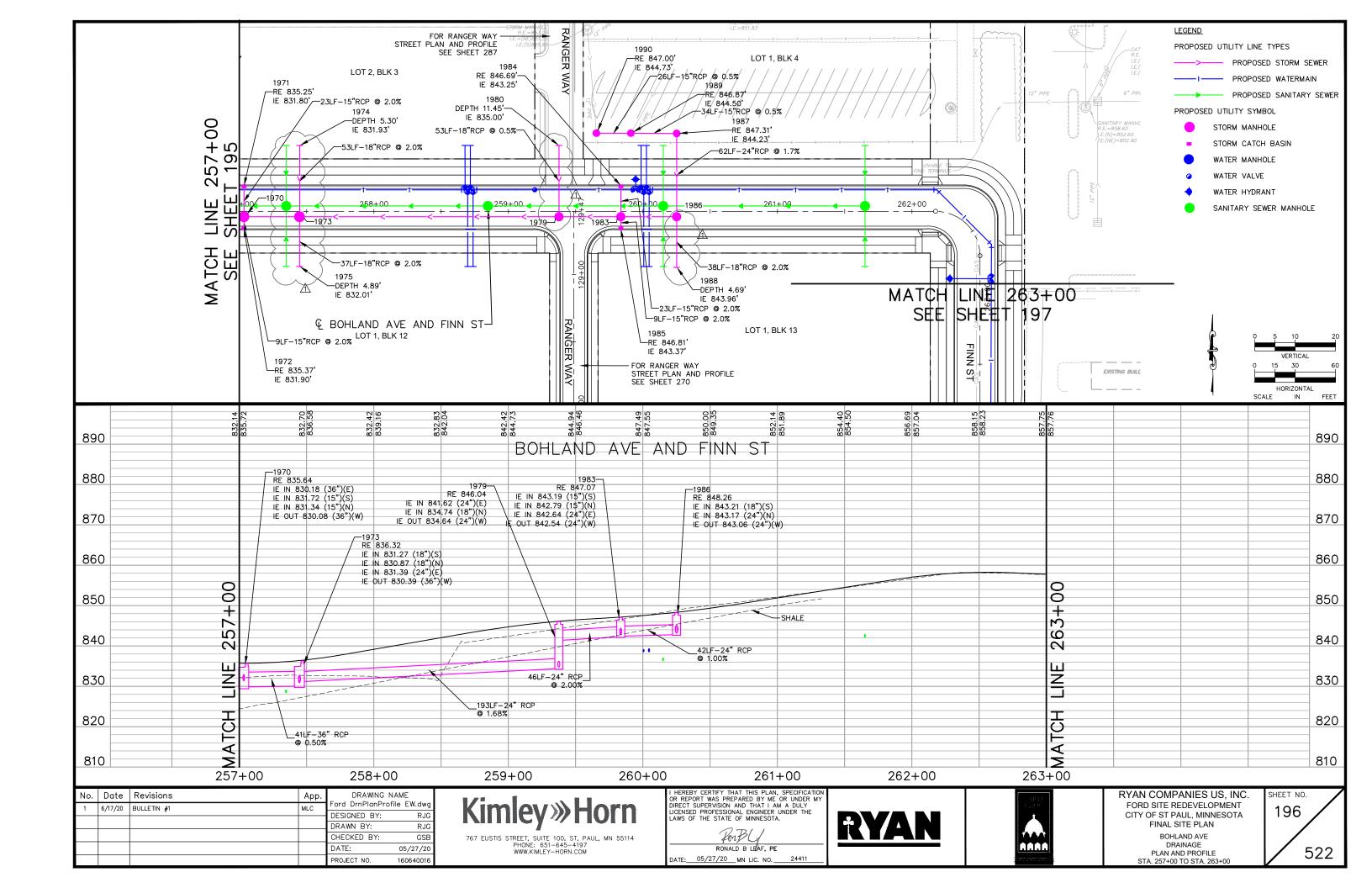
STA. 36+50 TO STA. 44+00

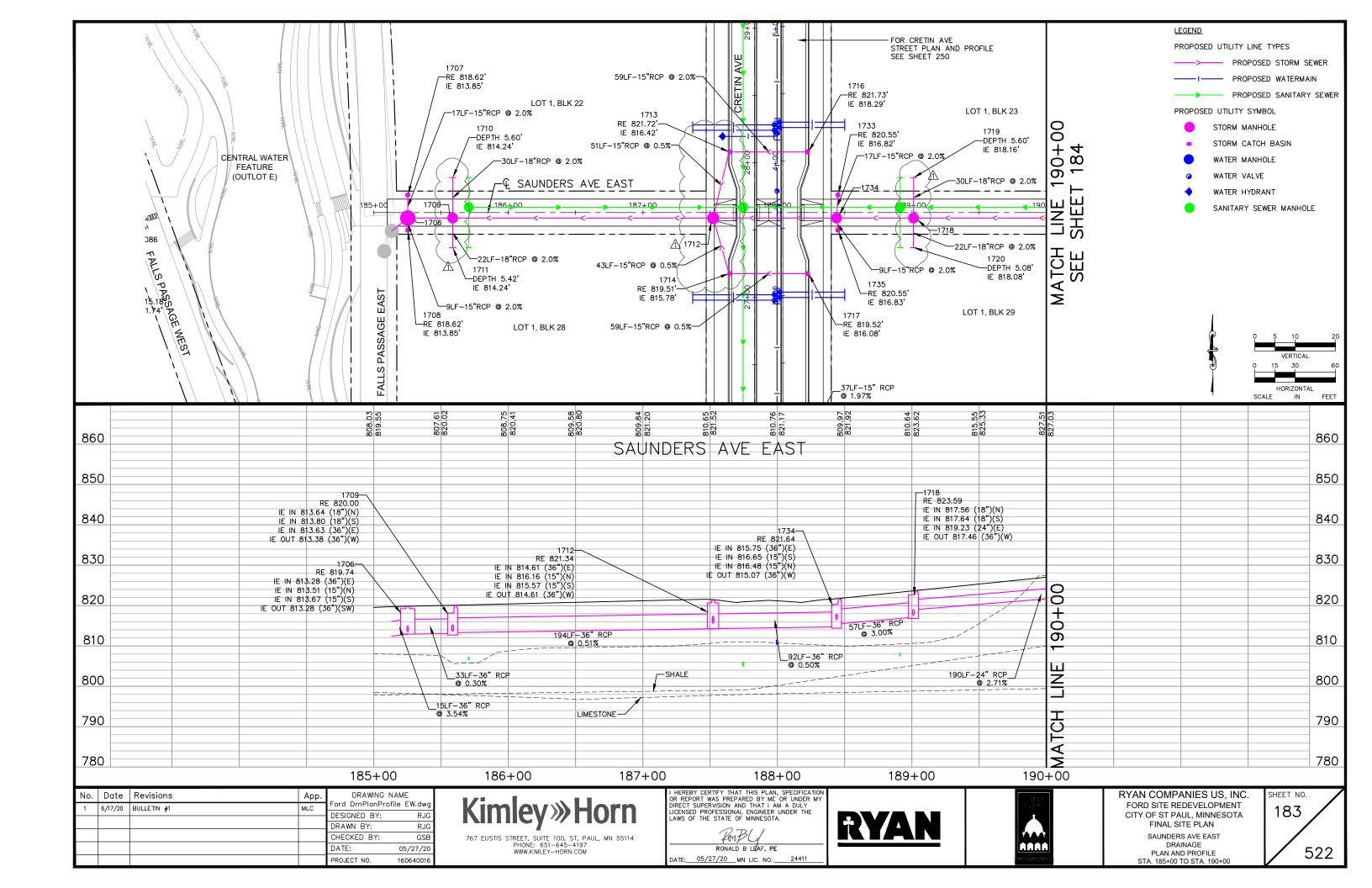
SHEET NO. 158

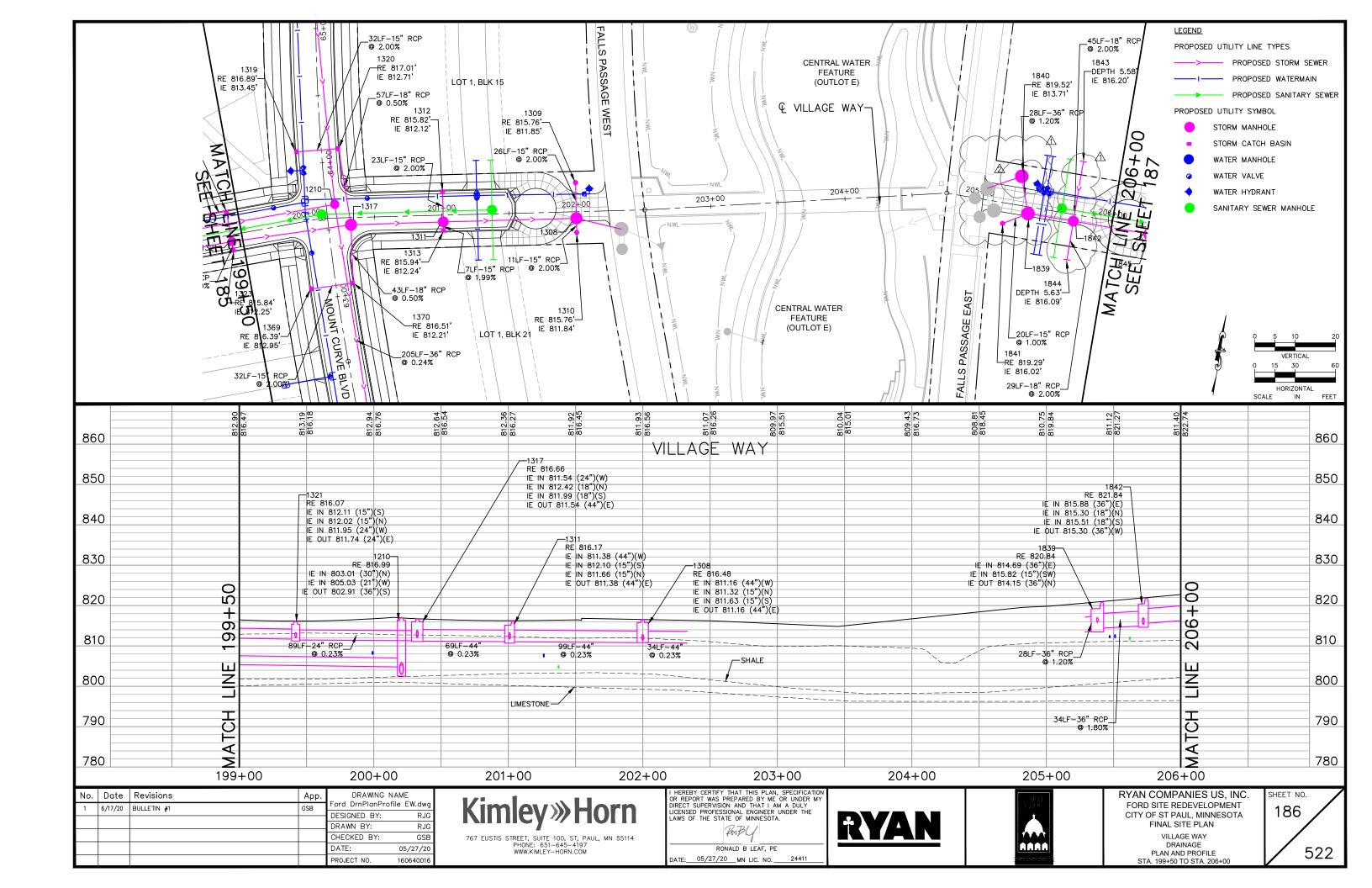


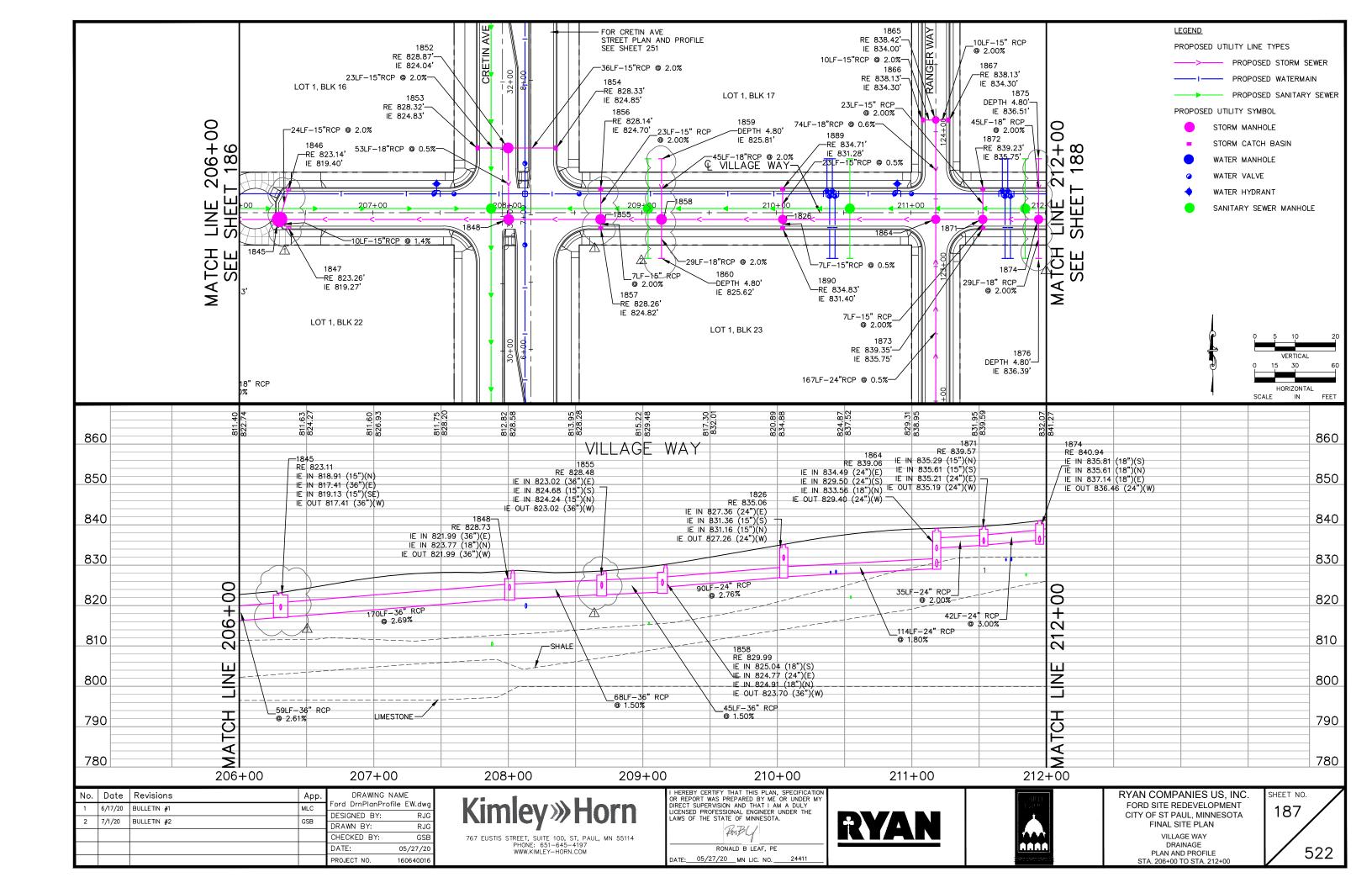


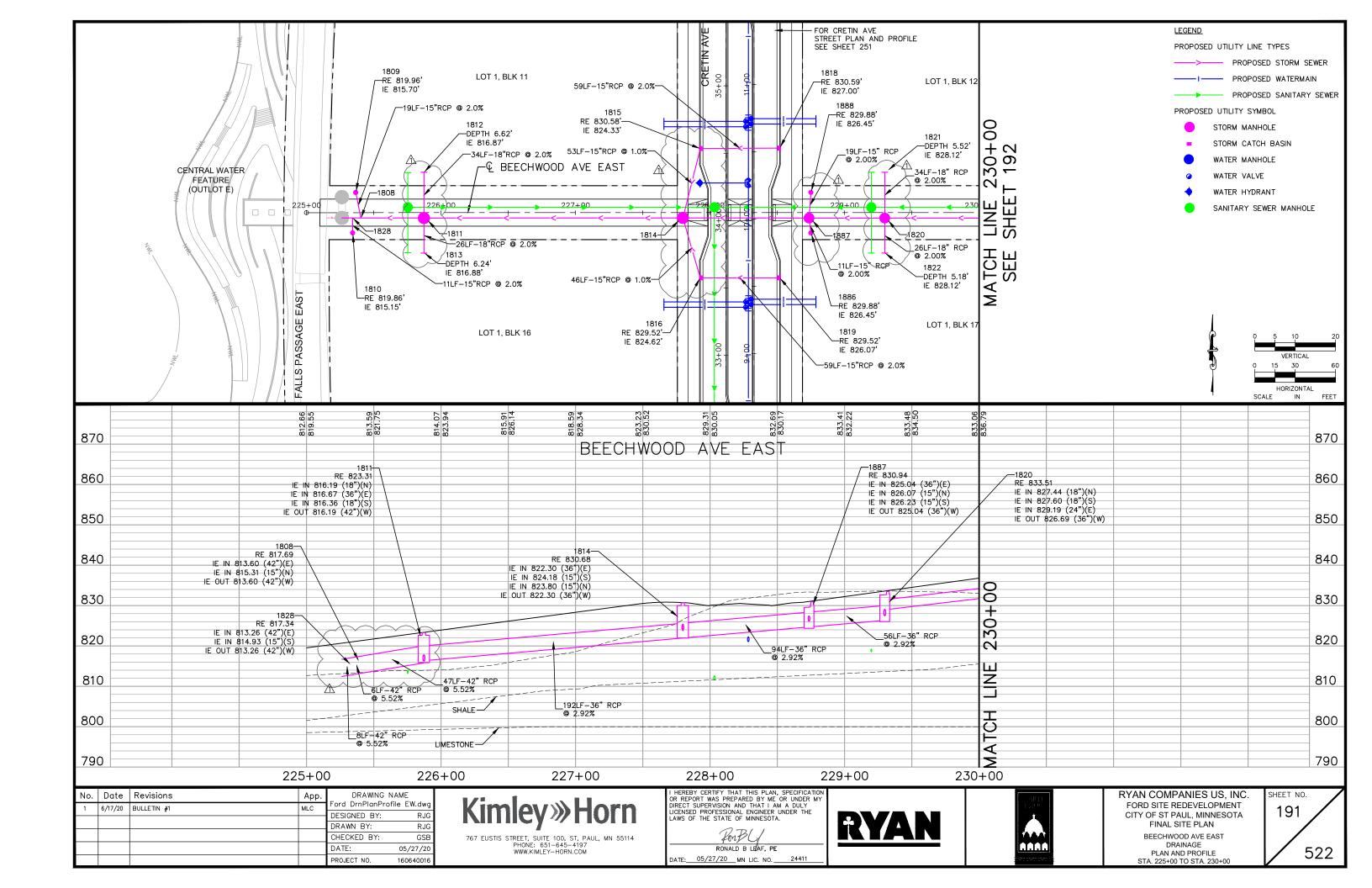














### **City of Saint Paul**

Signature Copy
Resolution: RES 21-10

City Hall and Court House 15 West Kellogg Boulevard Phone: 651-266-8560

File Number: RES 21-10

Approving Ordinance Permit **20200010402A** for Stormwater Conveyance Infrastructure Installed by Ryan on the Ford (Highland Bridge) Site

WHEREAS, the Saint Paul City Council has adopted the Ford Site Zoning and Public Realm Master Plan and all Amendments to the Plan; and

WHEREAS, the Site Improvement Performance Agreement (SIPA) provides for Site Plan Review protocols as well as protocols related to Site Improvements of the Property that are to be completed by Ryan and protocols related to City Acceptance of improvements completed by Ryan; and

WHEREAS, in April of 2020 Ryan submitted appropriate Plans, Specifications, Reports, and Documents to the City for review under Site Plan number 20-028740; and

WHEREAS, the appropriate City Departments and City Subject Matter Experts reviewed said Plans, Specifications, Reports, and Documents and found same to be in compliance with all applicable Codes, Standards, and Policies such that approval was granted by the Department of Safety and Inspections for site plan 20-028740 on June 30, 2020; and

WHEREAS, Article 6 of the SIPA provides for the installation of certain public infrastructure through a permit called the Ordinance Permit; and

WHEREAS, on **July 28, 2020** appropriate Ordinance Permits were issued by the City to Ryan for the purpose of completing certain stormwater conveyance improvements for the Property; and

WHEREAS, with the exception of possible warranty rework that may be required at a later date, Ryan has completed the installation of certain public improvements according to the requirements stated in the SIPA and RDA; and

WHEREAS, warranties are assigned per Section 12.7 of the SIPA and maintenance is addressed in Section 9.6; and

WHEREAS, Ryan has satisfied all applicable requirements of the Ordinance Permit Acceptance process as required by the SIPA and RDA for the installation of certain public improvements; now, therefore, be it

RESOLVED that the City Council accepts the infrastructure as so defined in the attached Exhibit A subject to the following conditions:

- 1. Maintenance of the system components described herein shall transfer to the City per the SIPA with the understanding that:
  - a. Current stormwater treatment systems ("BMP's") are being bypassed.
- b. Contributing catchment areas such as Right-of-Ways are not connected to the system and as such won't be introducing flows into the system.
  - c. System flows will only be experienced when private connections and contributing catchment

File Number: RES 21-10

areas are connected to the system.

- d. Right-of-Way catchment areas and Stormwater BMPs are permitted, constructed and accepted via separate Ordinance Permits. Acceptance is anticipated to be in 2021. Maintenance obligations will be per the SIPA. Should acceptance be delayed then maintenance obligations will be delayed.
- 2. As part of acceptance of roadway infrastructure at some future date, an inspection of all sewer structures shall be completed by a joint inspection team consisting of representatives of Ryan and representatives of the City. Any visible deficiencies found during said joint inspection will need to be addressed by Ryan to the satisfaction of, and at no cost to, the City. The City will be the final arbiter as to whether or not the deficiency needs to be corrected. The EOR will also be included in this walk. Any required corrections will be according to applicable Standards, Codes, and Policies.
- 3. Should non-sewer debris be found in the system Ryan or the appropriate secondary developer will be held responsible for cleaning the applicable parts of the system at no cost to the City.
- 4. In keeping with the RDA and the SIPA, identification of where public utilities are located within the site will be coordinated between the Ryan and the City team for any areas where roadways have not been accepted by the City. This coordination will continue until the roadways have been accepted by the City at which point the Gopher State One-Call system will be accessed for site utility locates. Coordination by the Ryan/City team will include providing asbuilt information to secondary developers, onsite meets that include all applicable stakeholders, and onsite marking as needed.

AND BE IT FURTHER RESOLVED, that pursuant to the RDA and SIPA the warranty period and associated maintenance obligations shall begin upon City acceptance.

ResolutionRES 21-10PassedMayor's OfficepassedSigned1/21/20211/20/2021Signed|DAYTHAt a meeting of the on, this Resolution was Signed.

> Yea: 7 Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, and Councilmember Yang

**Nay**: 0

Vote Attested by Council Secretary Trudy Moloney

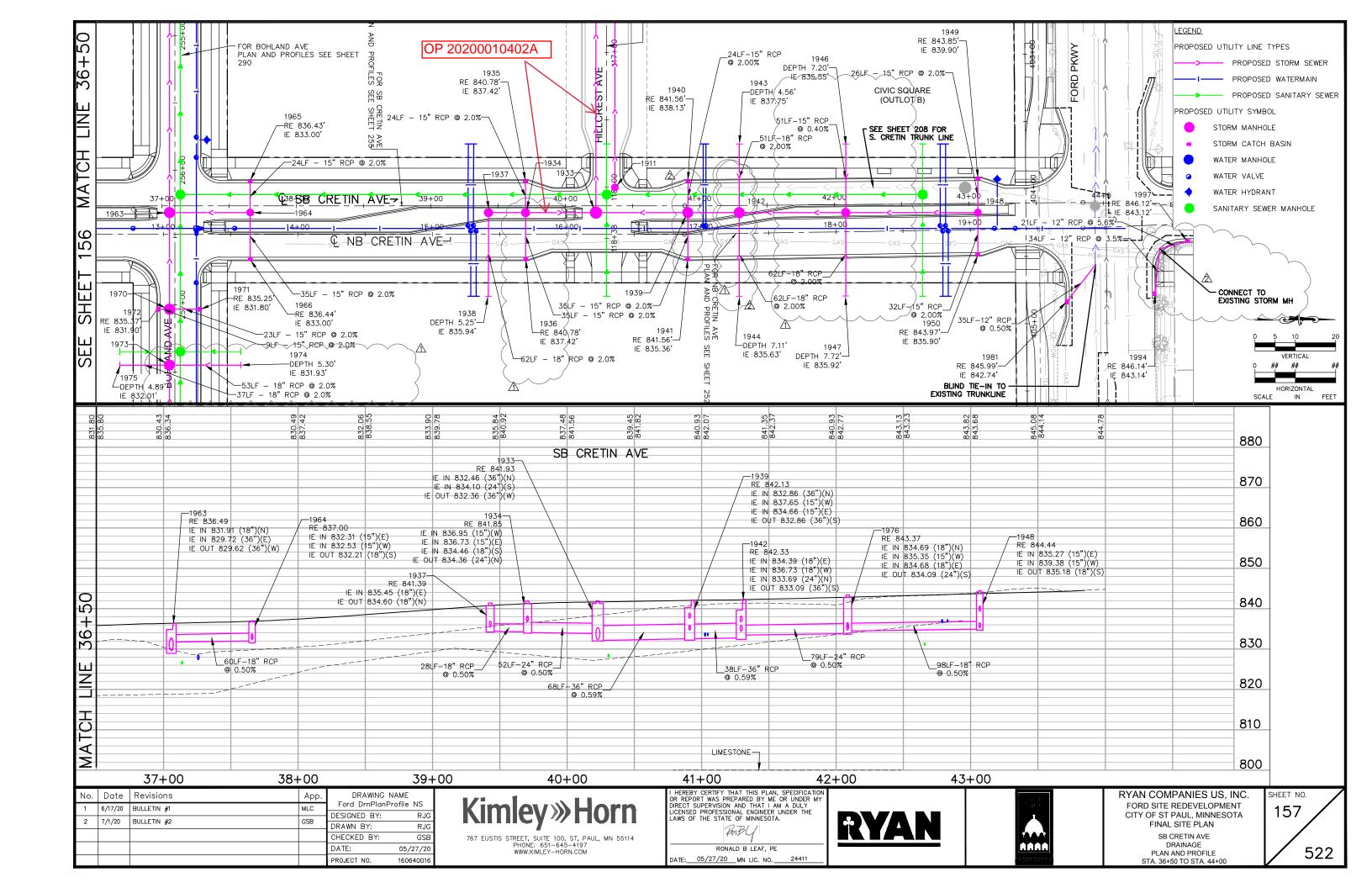
**Date** 

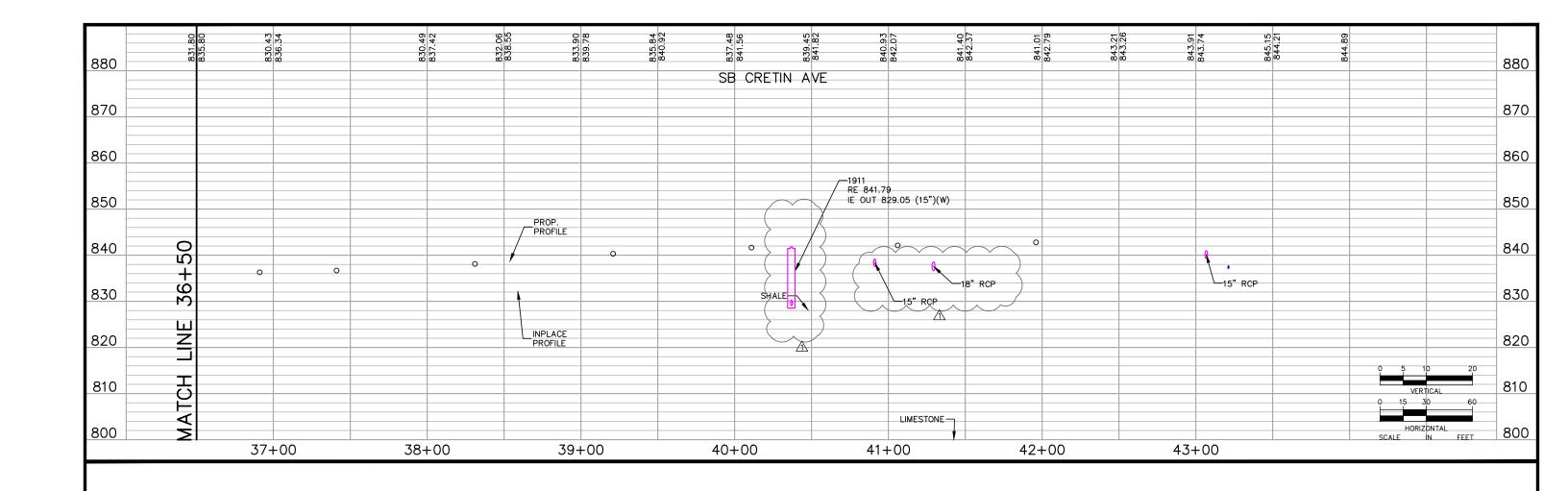
1/20/2021

Approved by the Mayor

Melvin Carter III

1/21/2021 **Date** 





No.	Date	Revisions	App.	DRAWING N	
1	6/17/20	BULLETIN #1	MLC	Ford DrnPlanPr	rofile NS
				DESIGNED BY:	RJG
				DRAWN BY:	RJG
				CHECKED BY:	GSB
				DATE:	05/27/20
				PROJECT NO.	160640016



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

### RONALD B LEAF, PE

DATE: 05/27/20 MN LIC. NO. 24411





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FORD SITE REDEVELOPMENT
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STA. 36+50 TO STA. 44+00

SHEET NO. 158

