

**Exhibit H**

**Form of Public Infrastructure Conveyance**

**PUBLIC INFRASTRUCTURE CONVEYANCE**

**BUILDING PERMIT #20 21 243877 (Hidden Falls)**

This Public Infrastructure Conveyance Agreement ("Agreement") is made and entered into effective \_\_\_\_\_, 20\_\_\_\_, 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 \_\_\_, 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**

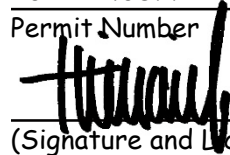
I hereby certify that work completed conforms to the certified plans and specifications, and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.

Unci Makha (Park C)

Project Description

20 21 243877

Permit Number



Terry Minarik License #42242

07/14/2022

(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](http://www.stpaul.gov/dsi)

August 2, 2022

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

### Temporary Certificate of Occupancy

|                                                                                                                                                                          |                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>Property Address</b>                                                                                                                                                  | 2230 MONTREAL AVE - HIDDEN FALLS HEADWATERS PARK                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |
| <b>Property Owner</b>                                                                                                                                                    | CITY OF ST PAUL/ELLEN STEWART                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |
| <b>Owner's Address</b>                                                                                                                                                   | 25 W 4TH ST - 400 CITY HALL ANNEX ST PAUL MN 55102 USA                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |
| <b>Use of Building</b>                                                                                                                                                   | New park known as Park C including 2 shelter structures and pedestrian bridge. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |
| <b>Automatic Sprinkler</b>                                                                                                                                               |                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |
| <b>Building Permit #</b>                                                                                                                                                 | 21 243877                                                                      | <b>Occupancy Classification</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | U         |
| <b>Construction Type</b>                                                                                                                                                 |                                                                                | <b>Applicable Building Code</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2015 MSBC |
| If occupancy is restricted, in the box <b>to the right</b> , describe the portion of the building approved for occupancy or any conditions limiting use of the building: |                                                                                | <ol style="list-style-type: none"><li>1. Asphalt fix at pedestrian bridge to be coordinated with the City's Parks Department and Ryan.</li><li>2. Resolution of the false creek channel to be coordinated between the City, Project Paul, LLC ("Ryan"), and the Capital Region Watershed District.</li><li>3. Resolution of the water quality to be coordinated between the City, Ryan, and the Highland Bridge Master Association.</li><li>4. Restoration of areas within the park are per the Contract Documents.</li></ol> |           |

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

*An Equal Opportunity Employer*

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, appearing to read "Steve J. Ubl". The signature is written in a cursive, flowing style.

Steve J. Ubl  
Building Official



August 4, 2022

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

RE: Uñćí Makhá 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:

1. Finish mowing and trimming grass per specs prior to site opening. Remove clippings, etc. as usual.
2. Remove exterior fence and repair/reseed the grass/seed that was damaged by the fence feet and bio logs.
3. Bee lawn seeded areas will need to be established. Maintain until established per Landscape Architect (Confluence) recommendations and specs.
4. Native seeded areas will need to be established. Maintain until acceptable per Landscape Architect (Confluence) recommendations and specs. The stormwater basin areas will be punched later as part of ordinance permit.
5. 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 Uñćí Makhá Park opens until accepted. This includes weeding, reseeding, fertilizing, mowing/weed whip, 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. Work within the stormwater easement is subject to CRWD permit outside of this approval.
6. Provide details on the proposed fix for the steps and asphalt by the pedestrian bridge. Parks to review and approve. Construct as directed by Parks.

7. Install adult fitness station instruction sign.
8. Restore area over false creek channel as directed by City and CRWD.
9. Replace top caps on all three Uñčí Makhá signs.
10. Agreement between Ryan Companies and the City on the warranty language for the north stairs.

Therefore, the letter date above establishes the beginning of all warranties for work items in Uñčí Makhá 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 (Aug 4, 2022 12:07 CDT)

Andy Rodriguez  
Director of Parks and Recreation

Attachments:

Exhibit H

Certificate of Compliance

Temporary Certificate of Occupancy

c: E. Stewart  
A. Messer  
T. Hagel