



## Legislation Text

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**File #:** RES 23-69, **Version:** 1

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Resolution approving and authorizing various condemnation matters and related documents for 1) Metropolitan Council Gold Line condemnation of properties located at 0 Conway Street, 652 Conway Street, and 1256 Wilson Avenue; and for 2) MnDOT Highway 5 Improvement condemnation of property located at 975 Minnehaha Avenue E, District 4, Ward 7

WHEREAS, the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota ("HRA") is a public body corporate and politic organized, existing, and operating under the laws of the State of Minnesota, Minn. Stat. Sec. 469.001, et seq. (the "Act"); and

WHEREAS, the HRA has the power to engage in development and redevelopment activities under the Act and when needs cannot be met through reliance solely upon private initiative, which can also be undertaken in targeted neighborhoods, and is authorized to create redevelopment projects as defined in the Act, and said activities include but are not limited to: (a) providing adequate, safe and sanitary dwellings, remedying housing shortages for low and moderate income residents, and providing housing for persons of all incomes through housing projects and development, (b) removing and preventing blight or deterioration, (c) bringing substandard buildings and improvements into compliance with public standards, (d) performing duties according to the comprehensive plan, (e) disposing of land for private redevelopment, and (f) improving the tax base and the financial stability of the community; and

WHEREAS, the HRA owns a 20 foot wide remnant parcel located at 0 Conway (PID: 32-29-22-41-0169) between existing right-of-way and an abutting residential lot; and

WHEREAS, the Metropolitan Council initiated eminent domain proceedings for the total taking of 0 Conway by offering to purchase the parcel for \$2,000, based on its valuation of the non-buildable remnant parcel; and

WHEREAS, the Metropolitan Council is requesting the HRA enter into a purchase agreement for its acquisition of the parcel at 0 Conway prior to initiating condemnation proceedings; and

WHEREAS, the HRA has a mortgage interest in property located at 652 Conway which is owned by Dayton's Bluff Neighborhood Housing Services (DBNHS); and

WHEREAS, the Metropolitan Council has initiated a condemnation for a temporary easement set to expire on January 1, 2027, and a permanent transportation easement; and

WHEREAS, DBNHS has consented to both easements, and is requesting consent from the HRA, as mortgagee, to subordinate its mortgage to the easements; and

WHEREAS, the HRA has a mortgage interest in property located at 1256 Wilson which is owned by Wilson II Apartments, Limited Partnership; and

WHEREAS, the Metropolitan Council has initiated a condemnation for a temporary easement that is being contested by the property owner; and

WHEREAS, the Metropolitan Council has requested the HRA, as mortgagee, sign a waiver to compensation to remove the HRA from the condemnation court action, which does not release the HRA's mortgage or endanger its security interest; and

WHEREAS, the HRA owns property at 975 Minnehaha Avenue E; and

WHEREAS, MnDOT has initiated a condemnation for a temporary easement which is set to expire on December 31, 2026, for construction of Highway 5 improvements; and

WHEREAS, MnDOT has requested the HRA execute a temporary easement and has offered to the HRA compensation in the amount of \$500; and

WHEREAS, due to the properties listed herein being acquired by condemnation, a public hearing is not necessary; and

WHEREAS, staff has determined that the requests by the Metropolitan Council and MnDOT, respectively, for 0 Conway Street, 652 Conway Street, 1256 Wilson Avenue, and 975 Minnehaha Avenue E are reasonable, represent a public use and purpose and that the compensation offered is fair and equitable; now, therefore, be it

RESOLVED by the Board of Commissioners of the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota:

1. that the HRA hereby approves and authorizes entering into and executing a purchase agreement with the Metropolitan Council for the Metropolitan Council's acquisition of 0 Conway Street for the Gold Line project in exchange for \$2,000 compensation paid to the HRA.
2. that the HRA hereby approves and authorizes entering into and executing a subordination agreement with the Metropolitan Council and DBNHS, if necessary, for the Metropolitan Council's acquisition of an easement at 652 Conway Street for the Gold Line project which will subordinate the HRA's mortgage to the Metropolitan Council's easement.
3. that the HRA hereby approves and authorizes entering into and executing a waiver to compensation for the Metropolitan Council's acquisition of an easement at 1256 Wilson Avenue.
4. that the HRA hereby approves and authorizes entering into and executing an easement agreement with MnDOT for MnDOT's acquisition of a temporary easement at 975 Minnehaha Avenue E for the Highway 5 improvement project in exchange for \$500 compensation paid to the HRA.
5. that the HRA hereby approves and authorizes staff, under the direction of the Executive Director, to take all actions necessary to carry out the activities authorized by this Resolution, including finalizing all documents and agreements necessary to effectuate the activities to be undertaken by this Resolution, subject to approval by the City Attorney's Office.
6. that the only signature that shall be required on any and all documents in connection with this Resolution, subject to approval by the City Attorney's Office, is that of the Executive Director who is hereby approved and authorized to execute all said documents and instruments, which shall be sufficient to bind the HRA to any legal obligations therein.
7. that this Resolution does not constitute a binding legal agreement; rather, the action taken herein shall not be effective until said documents are executed by the appropriate official(s) of the HRA.