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City of Saint Paul

Certified Copy

Resolution-Public Hearing: RES PH 18-367

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

File Number: RES PH 18-367

Approving the petition of the Housing and Redevelopment Authority and Michael Buelow to vacate a portion of the alley in Block 3, Lyton's Addition.

WHEREAS, the Housing and Redevelopment Authority of the City of Saint Paul and Michael Buelow ("Petitioner") have petitioned to vacate a portion of the alley in Block 3, Lyton's Addition to St. Paul; and

WHEREAS, the City of Saint Paul Department of Planning and Economic Development, citing Legislative Code 69.502, recommends denial of the vacation petition because the vacation would create a dead-end alley that could be avoided; so, therefore

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of the Petitioner, as documented in Office of Financial Services' Vacation File Number 09-2018, the public property described and depicted in Exhibit "A" is hereby to be vacated and discontinued as public property and, subject to the following conditions, the utility easements within said public property are hereby released in accordance with Section 130.05(3):

1. An easement shall be retained over, under and across the proposed vacated alley on behalf of Qwest Corporation d/b/a CenturyLink QC for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facilities.
2. An easement shall be retained over, under and across the proposed vacated alley on behalf of Xcel Energy for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facilities.
3. An easement shall be retained over, under and across the proposed vacated alley on behalf of Comcast for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioners, its successors and assigns, shall assume all costs of relocation of said facilities, including new easements as required.
4. The Petitioner, its successors and assigns shall pay \$1,200.00 to the City of Saint Paul as an administrative fee for this vacation which is due and payable within 60 days of the effective date of this resolution.
5. The Petitioner, its successors and assigns shall, within 60 days of the effective date of this resolution, file with the Office of Financial Services/Real Estate Section, an acceptance in writing of the conditions of this resolution and shall, within the period specified in the terms and conditions of this resolution, comply in all respects with these terms and conditions.
6. The Petitioner, its successors and assigns agree to indemnify, defend and save harmless the City of Saint Paul, its officers and employees from all suits, actions or claims of any character

brought as a result of injuries or damages received or sustained by any person, persons or property on account of this vacation, or the Petitioner's use of this property, including but not limited to, a claim brought because of any act of omission, neglect, or misconduct of said Petitioner or because of any claims or liability arising from any violation of any law or regulation made in accordance with the law, whether by the Petitioner or any of its agents or employees.

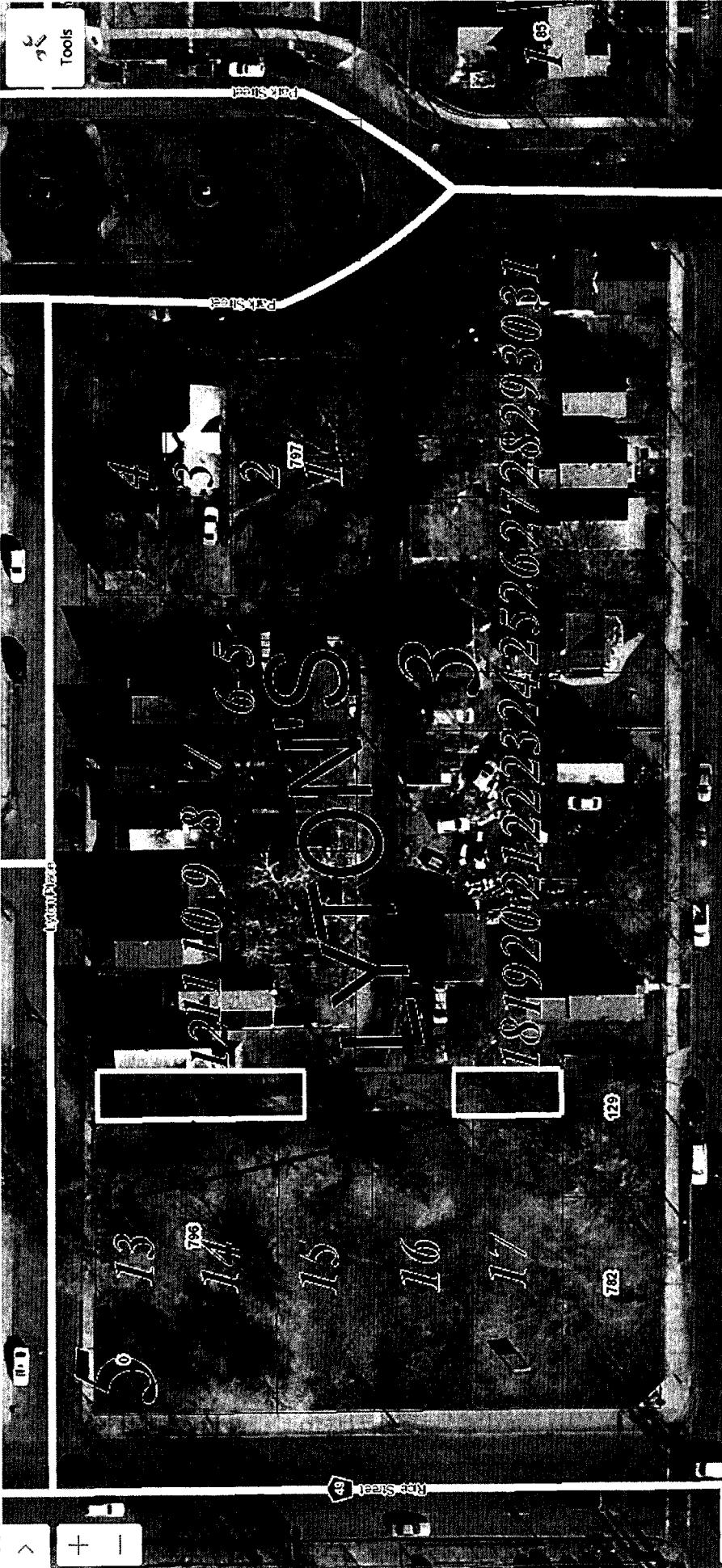
I, Shari Moore, City Clerk of the City of Saint Paul, Minnesota, do hereby certify that I have compared the attached copy of RES PH 18-367 as adopted by the City Council on 12/19/2018 and approved by the Mayor with the original thereof on file in my office.

Attest: Shari Moore
Shari Moore

January 10, 2019
Date Certified



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Sycamore Street West

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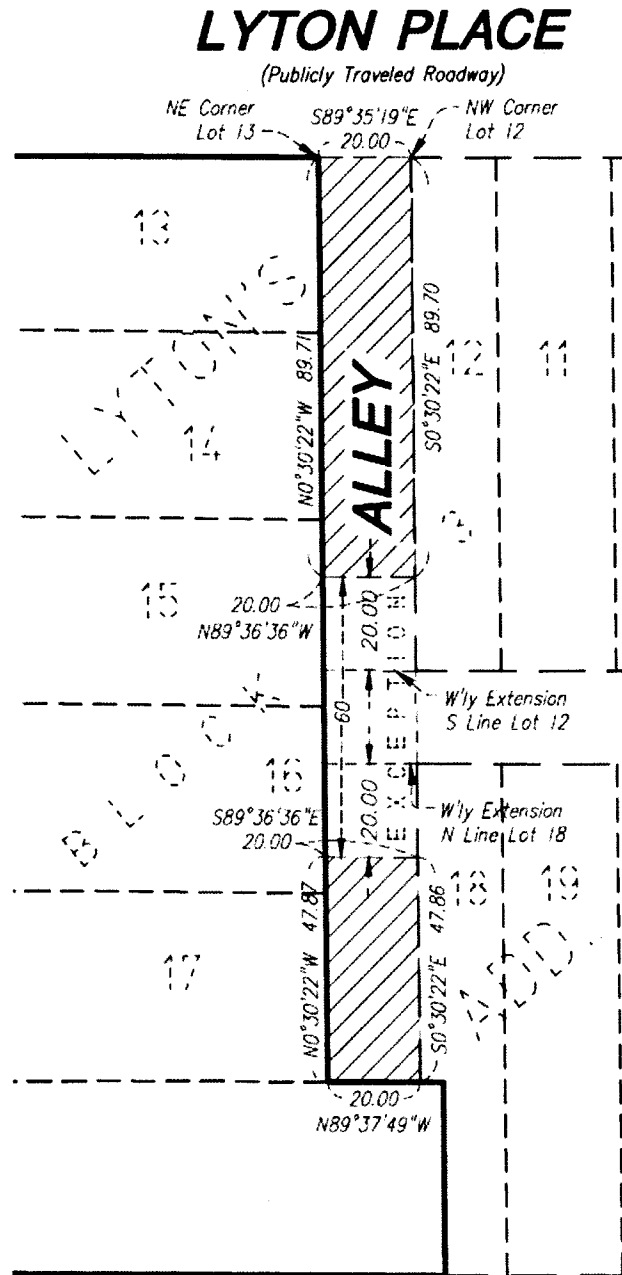
Exhibit "A"

Alley Vacation Legal Description

The 20.00 foot wide alley dedicated in Block 3, LYTON'S ADDITION TO ST. PAUL, MINNESOTA, Ramsey County, Minnesota lying east of and adjacent to Lots 13 through 17 said Block 3 and south of a line drawn from the northeast corner of Lot 13 to the northwest corner of Lot 12, said Block 3.

EXCEPT:

That part of said alley lying 20.00 feet northerly of the westerly extension of the south line of said Lot 12 and 20.00 feet southerly of the westerly extension of north line of Lot 18, said Block 3.



SYCAMORE STREET
(Publicly Traveled Roadway)