

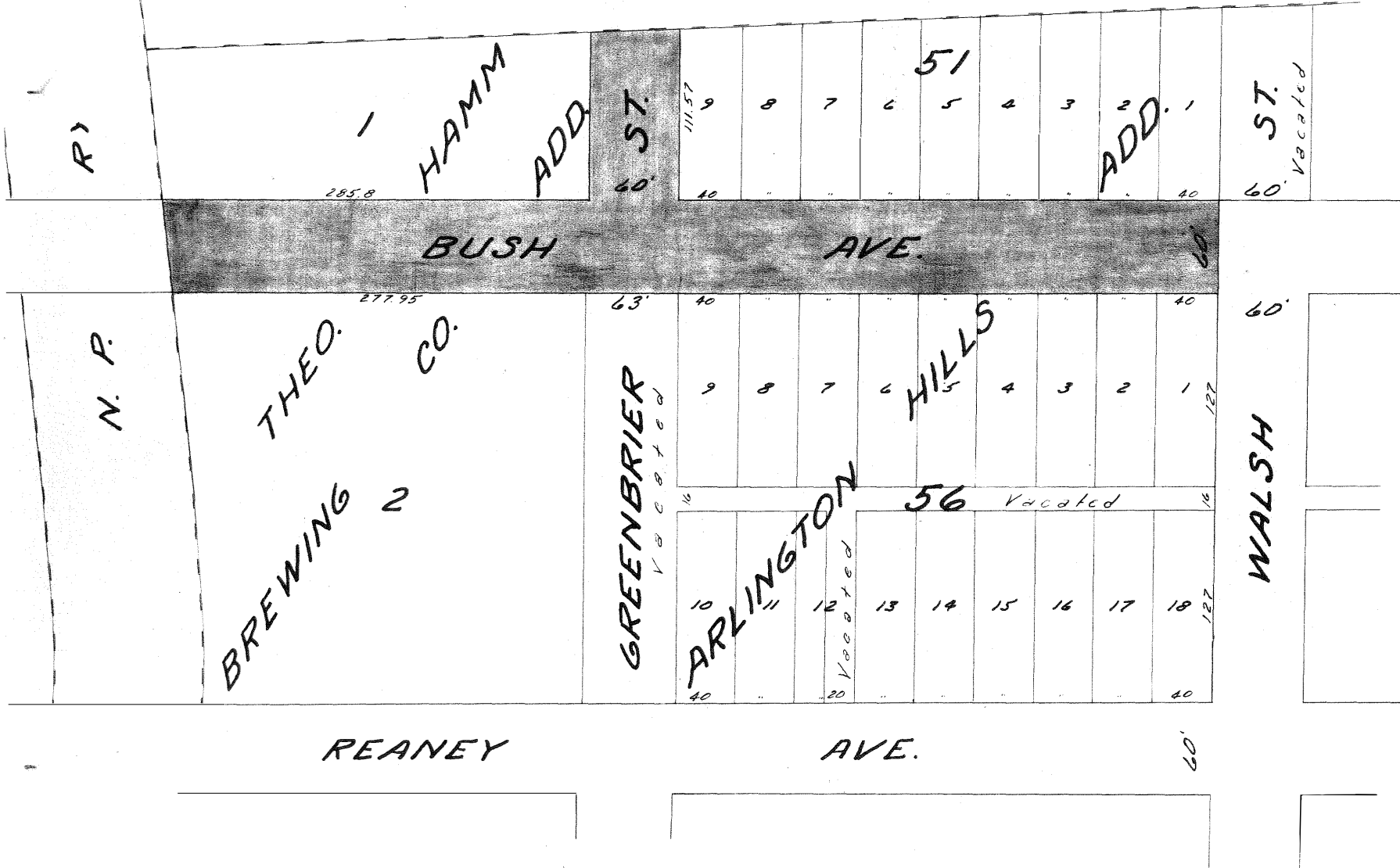
Exhibit A

C. ST. P. M. & O. RY.

~~BUSH AVE~~
 N.P. Ry. R/W - W.L. Walsh St.
GREENBRIER ST.
 C. St. P. M. & O. Ry. R/W - N.L. Bush Ave.

VACATION ✓

Bureau of Engineers
 March 13, 1963
 Scale: 1"=100'



WALSH
 GREENBRIER
 VACATION

**NOTICE OF HEARING
FOR VACATION**

Vacation of Street

Notice is hereby given that the petition of Theo. Hamm Brewing Company for the vacation of the following described property:

1. That portion of Bush Avenue bounded on the west by the easterly right of way line of the Northern Pacific Railway and bounded on the east by an extension of the west line of Lot 10, Block 55, Arlington Hills Addition, Ramsey County, Minnesota.
2. That portion of Greenbrier Street bounded on the north by the southerly right of way line of the Chicago, St. Paul, Milwaukee, and Omaha Railroad and bounded on the south by an extension of the northerly line of Block 56, Arlington Hills Addition, Ramsey County, Minnesota.
3. That portion of Walsh Street bounded on the north by the southerly line of Blocks 51 and 52, Arlington Hills Addition, Ramsey County, Minnesota, and bounded on the south by an extension of the southerly boundaries of Blocks 55 and 56, Arlington Hills Addition, Ramsey County, Minnesota.

as more particularly shown on the plat attached to the petition, has been ordered filed in the office of the City Clerk of the City of St. Paul, Minnesota, by the Council, and said petition will be heard and considered by the Council at a meeting thereof to be held in the Council Chamber in the City Hall and Court House on the 26th. day of December, 1962, at ten o'clock A.M.

Dated at St. Paul, Minnesota, this 13th. day of November, 1962.

AGNES H. O'CONNELL,
City Clerk of the
City of St. Paul, Minn.

(Nov. 17-24-Dec. 1-8, 1962)

Council File No. 210767 — By Milton Rosen—

Resolved, Upon and pursuant to the petition by Theo. Hamm Brewing Co., a Minnesota corporation, owner of all the real estate abutting along the lines of the same, that the following sections of public streets within the corporate limits of the City of Saint Paul, County of Ramsey, State of Minnesota, hereby are vacated and discontinued:

Bush Avenue for a distance of 700 feet between the easterly right-of-way line of the Northern Pacific Railway and the extended west line of Block 56, Arlington Hills Addition;

Greenbrier Street for a distance of 170 feet between the southerly right-of-way line of the C. St. P. M. & O. Railway and the extended north line of Block 56, Arlington Hills Addition;

subject to the following provisions, terms, conditions, and reservations:

1. That each such vacation and discontinuance of public street hereunder shall be forever subject to all the terms and conditions of Ordinance No. 3394, approved March 16, 1915, as amended, regulating the procedure and prescribing conditions for the vacation of public grounds, streets, alleys, and highways in the City of St. Paul.

2. That each such vacation and discontinuance of public street hereunder shall be further subject to the reservation unto said City hereunder, of a negative easement in the land which embraces each such section of vacated and discontinued public street for the imposition and enforcement of the restriction upon the use of the same to the end that no structure shall be located therein above any public sewer conduit or public water main, and such restriction hereby is imposed upon the use of the same.

3. That said Theo. Hamm Brewing Co., as the fee owner of each parcel of land embracing each such section of vacated and discontinued public street hereafter shall maintain the same in a manner so that said City shall be provided unobstructed access thereby to public fire hydrants thereon and adjacent to the same, for fire suppression purposes, in the operation of its municipal fire department, and an easement therefor hereby is reserved unto said City.

4. That said negative easement and said additional easement hereby reserved unto said City shall be confirmed by grants of the same under Deed of Easements by said Theo. Hamm Brewing Co., its successors or assigns, unto said City, and shall be subject to release, by Instrument of Release hereafter authorized by Resolution of said City's Council as and when said Council shall find such release necessary for construction of improvements on the subject premises and conducive to the promotion of the public interest, provided that, in any such case, said Company, its successors or assigns, shall be required to pay the entire cost of any necessary removal, relocation, or reconstruction of any public sewer line or water main thereby involved.

5. That said Theo. Hamm Brewing Co. shall, by its written covenant, to be filed with the City Clerk, bind itself, its successors and assigns, at all times hereafter, to fully indemnify and hold harmless said City, its agents, officers, and employees from and against all liability on account of any and all claims for the recovery of damages for injury to person or property which shall arise therefrom or be connected with the vacation and discontinuance of any such section of public street hereunder, and further binding itself, its successors and assigns at all times hereafter, at its or their own cost and expense, to furnish and maintain public liability casualty insurance coverage indemnifying said Company, its successors and assigns, and said City, its agents, officers and employees, against liability on account of every such claim, in the amount of \$250,000 for injury to any one person and \$500,000 for injuries to more than one person in any one accident, and in the amount of \$150,000 for injury to property attributable to any one accident.

6. That said written covenant shall, as aforesaid, bind said Company, its successors and assigns, unto said City, and shall further bind said Company, its successors and assigns, unto said City for installation and maintenance by and at the expense of said Company, its successors and assigns, of such barricade or barricades, gate or gates at the end or ends of any such vacated section of public street hereunder, for the purpose of preventing public travel thereon, as said City Council hereafter shall specify and order under its Resolution or Resolutions, and to furnish and maintain the aforesaid types of public liability casualty insurance coverage in the same amounts, indemnifying said Company, its successors and assigns, and said City, its agents, officers, and employees, against liability on account of any and all claims for damages for injury to person or property attributable to the failure of said Company, its successors or assigns, to maintain any such barricade or barricades, gate or gates, as directed by any such Resolution or Resolutions.

7. That the compensation required to be paid by said Company, its successors or assigns, to said City on account of said vacation and discontinuance of said sections of public streets hereunder, hereby is fixed in the amount of \$20,400 and that the bond required by said ordinance hereby is provided to be in the penal sum of \$3,000.

Adopted by the Council January 11, 1963.

Approved January 11, 1963.
(January 19, 1963)

Council File No. 210967—By Milton Rosen—

Resolved, That Council File No. 210767, approved January 11, 1963, which resolution purported to vacate certain portions of Bush Avenue, may be and hereby is amended by substituting the following description for the vacated portions of said Bush Avenue:

Bush Avenue for a distance of 700 feet between the easterly right-of-way line of the Northern Pacific Railway and the extended east line of Block 56, Arlington Hills Addition;

and
Resolved Further, That in view of the foregoing amendment and change of description, petitioner for said vacation, to-wit: Theo. Hamm Brewing Co., shall be accorded thirty days from and after the date of publication of this Resolution in which to comply with the legal requirements for vacation and discontinuance of avenues and streets in the City of Saint Paul pursuant to the Charter and pursuant to ordinances in such case made and provided.

Adopted by the Council January 24, 1963.

Approved January 24, 1963.
(January 26, 1963)