

HOUSING AND REDEVELOPMENT AUTHORITY OF THE CITY OF SAINT PAUL, MINNESOTA

REPORT TO THE COMMISSIONERS

DATE: JANUARY 12, 2022

REGARDING: AUTHORIZATION TO ACCEPT CONVEYANCE FROM THE CITY OF SAINT PAUL OF 745 SQUARE FEET OF NATHAN HALE PARK PARKLAND DIVERSION PROPERTY LOCATED ON PORTLAND AVENUE NEAR ITS INTERSECTION WITH SUMMIT AVENUE AND SUBSEQUENTLY CONVEY THE SAME TO ADJACENT PROPERTY OWNERS, JULIE M. CARLSON AND ARNE H. CARLSON, JR. AT 420 PORTLAND AVENUE TO USE FOR LANDSCAPING, FENCING, AND AN IRRIGATION SYSTEM

Requested Board Action

The specific actions being requested of the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (“HRA”) Board are as follows:

- Authorize acceptance of conveyance from the City of Saint Paul (“City”) of 745 square feet of Nathan Hale Park Parkland Diversion property located on Portland Avenue near its intersection with Summit Avenue (“Disposal Property”) as shown on **Map of Disposal Property**.
- Authorize execution of the Acquisition Agreement in a form and content substantially as set forth in the attached **Revised Acquisition Agreement**.
- Authorize conveyance of the Disposal Property to the owners of 420 Portland Avenue, Julie M. Carlson and Arne H. Carlson, Jr. (collectively, “Buyer”), to use for landscaping, fencing and an irrigation system.
- Authorize the proper city staff to prepare and execute all necessary documents and instruments approved by the City Attorney’s Office that are necessary to facilitate the transaction from City to HRA and from HRA to Buyer, except that the HRA Chair shall execute the deed of conveyance of the Disposal Property to Buyer.

Background

The City owns parkland adjacent to 420 Portland Avenue, which has been maintained by the Department of Parks and Recreation as Nathan Hale Park. The Buyer requested the City approve a parkland diversion of the Disposal Property due to the previous owners of 420 Portland Avenue having encroached upon the Disposal Property to install landscaping, fencing and an irrigation system. The Saint Paul Parks and Recreation Department has not used the Disposal Property since it has been encroached upon by the previous owner of 420 Portland. The Saint Paul Parks and Recreation Commission determined that the Disposal Property may be disposed of for the requested purposes and recommended approval of the diversion as stated in Resolution PH 18-20, adopted October 11, 2018, which is shown in the attached **Parks Commission Resolution PH 18-20**. The Saint Paul City Council heard the matter on November 20, 2019 and passed RES PH 19-387, shown in the attached **City Council Resolution RES PH 19-387**, which authorized and directed the proper city officials to dispose of the Disposal Property by quit claim deed to the HRA, acting as a pass-through entity, for subsequent conveyance to the Buyer. In addition, RES PH 19-387 also authorized the execution of an Acquisition Agreement in a form and content substantially as set forth in the attached **City Council Approved Acquisition Agreement** and to accept from Buyer just compensation. The draft Acquisition Agreement approved by the Saint Paul City Council has since been revised, but maintains the similar form and content originally approved. The updated version of the Acquisition Agreement is attached as **Revised Acquisition Agreement**.

Budget Action

No Budget Action is being requested. The HRA is being used as a pass-through for City land in accordance with Saint Paul Administrative Code Sec. 51.01.(11). The Disposal Property will be acquired from the City and subsequently conveyed to the Buyer. It is proposed that all City and HRA fees and costs for the two transactions are to be paid by the Buyer at closing.

Future Action

No future action is needed.

Financing Structure

N/A

PED Credit Committee Review

N/A

Compliance

No compliance requirements apply.

Green/Sustainable Development

No green elements apply.

Environmental Impact Disclosure

N/A

Historic Preservation

N/A

Public Purpose/Comprehensive Plan Conformance:

The HRA is being used as a pass-through for disposition of City property in accordance with Saint Paul Administrative Code Sec. 51.01.(11). The Saint Paul City Council has approved this transaction pursuant to RES PH 19-387.

Statement of Chairman (for Public Hearing)

Being duly authorized by the Board of Commissioners to conduct this Public Hearing, the hearing is now open. This is a Public Hearing relating to the proposed conveyance of certain real property in the Summit-University, District 8 area.

Notice of time, place, and purpose of this hearing was published in the Legal Ledger on Monday, December 27, 2021. The Affidavit of Publication of the Notice of Public Hearing is hereby made a part of these proceedings.

The HRA proposes to acquire from the City and convey to the Buyer the following property in the Summit-University, District 8 area:

ADDRESS: A portion of 0 Summit Ave (Nathan Hale Park - Parcel ID No. 01.28.23.24.0224)

LEGAL DESCRIPTION: That part of Lot 7, Auditor's Subdivision No. 38, St. Paul, Minn. Described as follows: Commencing at the most southerly corner of said Lot 7; thence North 37 degrees 18 minutes 50 seconds West (bearing based on the Ramsey County Coordinate System, NAD83 1996 adjustment), along the southwesterly line of said Lot 7, a distance of 132.80 feet to the Point of Beginning of the parcel of land to be described; thence continuing North 37 degrees 18 minutes 50 seconds West along the southwesterly line of said Lot 7, a distance of 55.65 feet to the north line of said Lot 7, also being the southerly right of way line of Portland Avenue; thence North 89 degrees 48 minutes 45 seconds East, along said north line of Lot 7, a distance of 33.59 feet; thence at a right angle South 00 degrees of 44.37 feet to the Point of Beginning. Said parcel contains 745.0 square feet or 0.0171 acres.

Recommendation:

Staff recommends approval of acquisition of the Disposal Property from the City and subsequent conveyance of the Disposal Property to Julie M. Carlson and Arne H. Carlson, Jr.

Sponsored by: Commissioner Dai Thao

Staff: Travis Bistodeau and See J Yang

Attachments

- **Parks Commission Resolution PH 18-20**
- **City Council Resolution RES PH 19-387**
- **City Council Approved Acquisition Agreement**
- **Revised Acquisition Agreement**
- **Legal Ledger Affidavit of Publication**
- **Map of Disposal Property**
- **District 8 Summit University Neighborhood Profile**
- **Public Comments from The Summit Avenue Residential Preservation Association - received by the City after City Council authorized disposal of the Disposal Property on 11/20/19**