# Exhibit A

Ordinance Permit 20200010501

#### Exhibit H

### Form of Public Infrastructure Conveyance

# PUBLIC INFRASTRUCTURE CONVEYANCE

#### **ORDINANCE PERMIT # 20200010501**

This Public Infrastructure Conveyance Agreement ("<u>Agreement</u>") is made and entered into effective May 9, 2022, by and between PROJECT PAUL, LLC, a Delaware limited liability company ("<u>Developer</u>"), and CITY OF SAINT PAUL, MINNESOTA, a municipal corporation existing under the laws of the State of Minnesota ("<u>City</u>").

NOW, THEREFORE, in consideration of the mutual obligations of the parties hereto, each of them does hereby covenant and agree as follows:

- 1. <u>Notification</u>. 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 <u>Exhibit A</u> hereto (the "<u>Infrastructure</u>") 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 19, 2019. The acceptance of the Infrastructure does not take effect until the Saint Paul City Council accepts the Infrastructure via Resolution.
- 2. <u>Representations</u>. 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, constructed in compliance with all applicable Standards as described in the St. Paul Department of Public Works' Construction of Infrastructure by Private Developers Policy, 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 (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) Original, reproducible As-Built Plans acceptable to the Department of Public Works, City of Saint Paul 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) For sewer systems, video records of televised inspections of sewer mains have been submitted by permittee and approved by Sewer Utility staff.
- (iv) For sewer systems, sewer connection permit information on file with Public Works.
- (v) Operation and Maintenance plans.
- (vi) All other permit requirements as set forth in the Ford site ordinance permit policy.
- (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. <u>Conveyance</u>. 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 warrantees, 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: 1 on Barranco

Its: President, North Region

STATE OF Minnesota ) ss.

The foregoing instrument was acknowledged before me this day of May, 2022, by Tom Barranco, the President North May of Ryan Companies US, Inc., a Minnesota corporation, the Sole Member of Project Paul, LLC, a Delaware limited liability company, on behalf of the limited liability company.

Briana M Koch

MINNESOTA
My Commission Expires Jan. 31, 2025
Notary Publ

NOTARY PUBLIC

#### **Exhibit G**

# Form of Completion Certificate



# CITY OF SAINT PAUL DEPARTMENT OF PUBLIC WORKS

# **Certificate of Compliance**

I hereby certify that work completed under this Ordinance Permit and materials provided for installation conform to the appropriate specifications and provisions of and the Department of Public Works, City of Saint Paul, Minnesota, Standard Supplemental Specifications for Construction of Public Infrastructure by Private Developers Policy, as amended, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Highland Bridge Stormwater Management Infrastructure ST-07

Project Description

20200010501 OP#5

Permit Number

Matthew R. Metzger license number 47651

December 14, 2021

(Signature and License No.)

Date

Barr Engineering Co.

Organization (Print)

1/2012

Certification is based on periodic site visits, to the best of my knowledge, information and belief based on the information available at this time of certification. Certification is for work completed prior to attached punchlist items' completion. **MRM** 

# SAINT PAUL

# CITY OF ST PAUL

Department of Public Works 25 West 4th Street 1500 City Hall Annex Saint Paul, MN 55102

# ORDINANCE PERMIT

OFFICE USE ONLY
Application No. 1
Application Date 7/31/2020
SPR File #
Pormit No. 20200010501

City in America							
Type of Permit (select one only):							
☐Base Roadway		□Roadway Sidew	alks	☐ Sanitary Sewer Collection System			
□Bridge	□Roadway Traffic			☐ Storm Sewer Collection System			
☐Retaining Wall	☐ Sanitary Drop Shaft			■Storm Sewer Treatment System			
	1						
Phase:	Location (Street On, From/To, and Adjacent Lots/Blocks):						
One	Montreal Ave: MH-33 east to JS-08						
	3						
<b>Description of Work:</b> [Include the description provided in the permit application and all subsequent amendments or revisions, which are hereby incorporated by reference.]							
				n of all storm sewer piping, stubs and			
structures in the areas identified in t							
piping based on material type, sizing SEQ."	g, and structures ba	sed on size can be s	seen as an attachment to this appli	ication labeled "Storm Treatment OP#1			
	s nermit are listed h	elow and attached t	o this application: < 215, 2	216			
045 040							
Applicant Contact Person:	Contact Person		Contact Person Telephone:	Contact Person Email:			
Will Rollo	Sr. Project Engine	er	612-257-3536	will.rollo@ryancompanies.com			
Bond Co.:			Bond Amount:	Bond No.:			
Travelers Casualty & Surety Co			\$73,609,974.00	107185400			
Insurance Co.:			Insurance Certificate No.:				
Zurich American Insurance Company			NA				
Permit Conditions:							
Issuance of permit is partial and specific to the base slab of the StormTrap. All other elements are excluded until final site approval.							
771	111	1 6.1					
i his permit is issued with the stip	oulation that the v	vork of the permit	tee ana related agents, emplov	vees and contractors shall conform in			

This permit is issued with the stipulation that the work of the permittee and related agents, employees and contractors shall conform in all respects to the Redevelopment Agreement (including all Legal Requirements as defined by Article 1), the City of Saint Paul Department of Public Works Ordinance Permit Process Document, and the Department of Public Works List of Applicable Standards & Specifications. The permit shall be available for display at the site referred to herein and shown to any Police Officer or Inspector upon demand and does not authorize or allow for interference with the work of any Contract made or to be made with the City of Saint Paul.

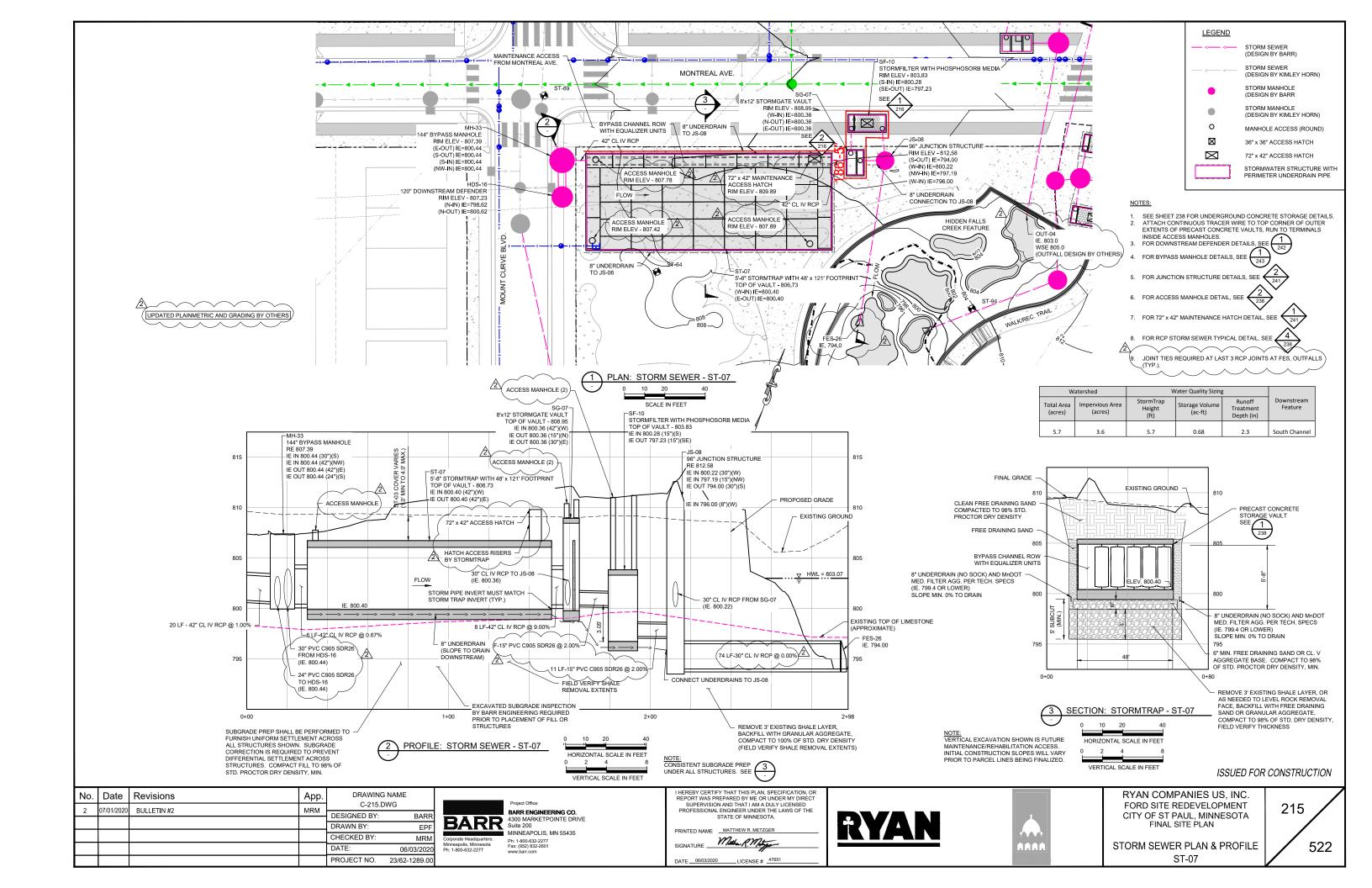
# THIS PERMIT MAY BE REVOKED AT ANY TIME BY THE DIRECTOR OF PUBLIC WORKS

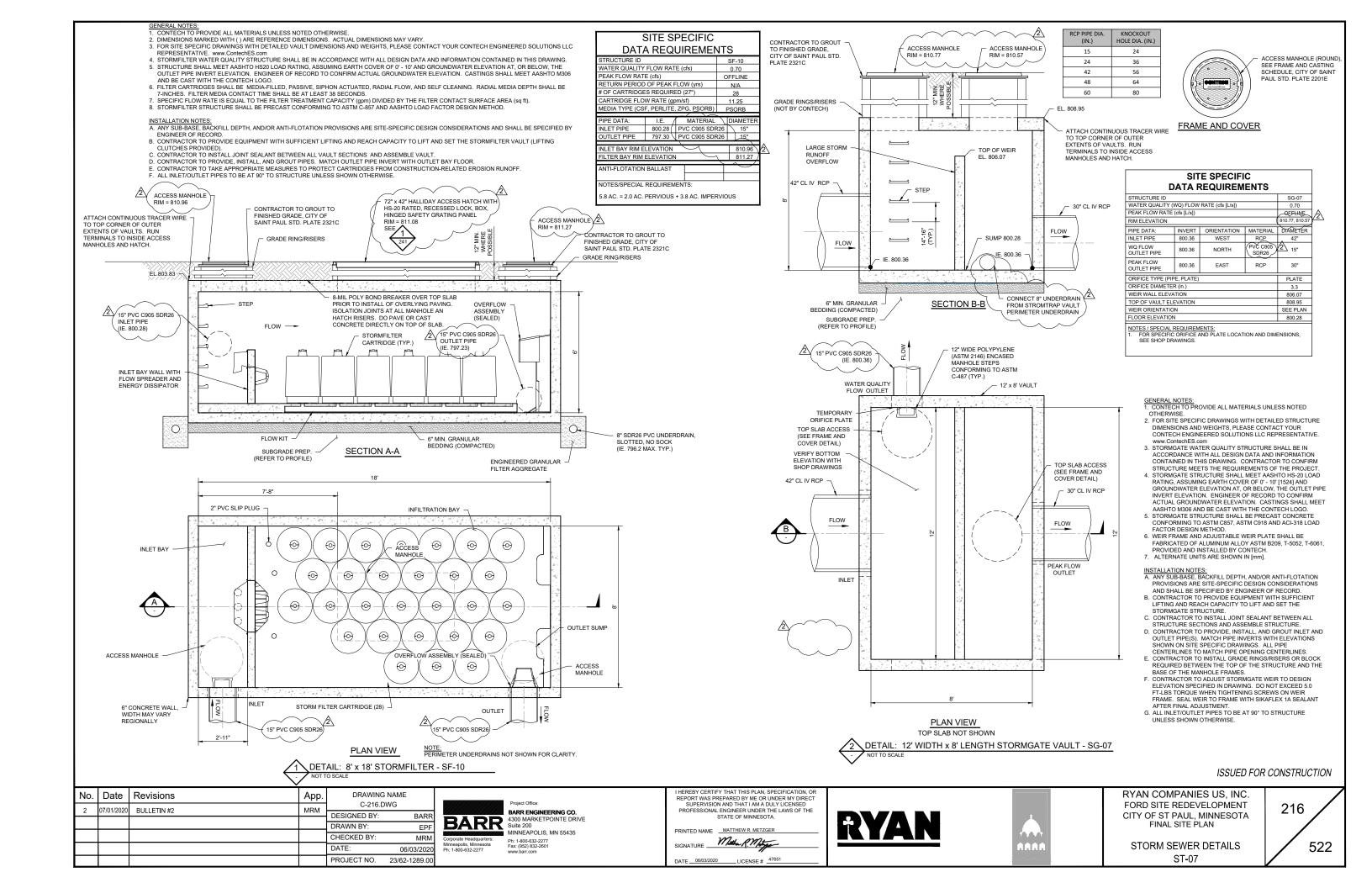
A PERMIT FOR THE ABOVE DESCRIB	BED CONSTRUCTION IS AUTHORIZED BY:	
Signature	Technical Lead	9/10/2020 Date
David Kuebler, P.E.		
Printed Name		

PERMIT NUMBER 20200010501

# ITEMS TO BE COMPLETED PRIOR TO ACCEPTANCE OF INFRASTRUCTURE AND RELEASE OF PERMIT

Prior to acceptance of an the satisfaction of the Cit		mits, the following items must be completed to	
	work completed;		
	f Metropolitan Council Environmental Ser-	Engineer of Record, provided to Public Works; vices and MN Pollution Control Agency Permits	
☐ Full compliance with p quality assurance;	project Quality Management Plan or other of	document(s) governing quality management and	
limited to: City Public Wo	ppliance with all applicable City and non-Carks Right-of-Way Office, Minnesota Pollutution Discharge Elimination System permit	tion Control Agency, Capitol Region Watershed	
NA Documentation of road	lway materials at compaction of grading an	d base, plant mix design report, strength;	
	nt control structures, weir structures, etc.) i	and laterals, and any structural BMP's (pipe nstalled under any permit, provided to the	
NA Sewer Permit drawings Public Works, in addition	s for paving connections or stubs installed to Private Service Lateral Permit Drawings	o service vertical development provided to ;	
	lic Works notified for signal and lighting in nstalled, poles and wiring installed, and hea	aspection of pole field layouts (staking), and positioning and phasing/detection verification	
☐ For infrastructure with	in parks: Documentation that Parks Departr	ment has been notified of completion status;	
All applicable operatio	n and maintenance manuals provided to Pu	blic Works; and	
	nce signed and submitted to City by Engine	er of Record.	
	·		
			_
RELEASE OF PERMIT:			
Permit No	Council Res. No	Permit Date	
Release Authorized by	Ti	tle	





# Exhibit B

Ordinance Permit 20200010501

Capitol Region Watershed

District Concurrence Statement

From: Forrest Kelley

To: <u>Kuebler, David (CI-StPaul)</u>

Cc: <u>Elizabeth Hosch</u>

Subject: Highland Bridge OP Acceptance Resolution

Date: Wednesday, July 13, 2022 2:49:06 PM

Attachments: <u>image001.pnq</u>

imaqe003.pnq imaqe004.pnq imaqe005.pnq imaqe006.pnq imaqe007.pnq imaqe008.pnq

Think Before You Click: This email originated outside our organization.

Hello David,

This email is intended to document support for the City of St. Paul's proposed conditional acceptance of stormwater infrastructure constructed at the Highland Bridge redevelopment site. As conditioned in the resolution, CRWD will review submitted record drawings for conformance with the approved plans, and confirm function of stormwater treatment systems once the planned stormwater flows are re-directed as designed. CRWD understands that Ryan Companies shall be responsible for all corrective actions needed to achieve full system performance associated with CRWD permit closure.

Thank you for the partnership and commitment to ensure successful stormwater outcomes on this innovative approach to bring water back to St. Paul.

Sincerely,

#### Forrest J. Kelley, PE (MN)

Regulatory Division Manager

<u>Capitol Region Watershed District</u>

595 Aldine Street | Saint Paul, MN 55104

email: fkelley@capitolregionwd.org

(651) 644-8888 Ext. 116 | mobile: (651) 210-7692







