



## Legislation Details (With Text)

**File #:** RES 12-256    **Version:** 1

**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 2/15/2012

**Title:** Authorizing the release of City Easements within the Saint Paul Port Authority's Beacon Bluff Development.

**Sponsors:** Dan Bostrom

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - City Esmt Release - legal descriptions.pdf, 2. Beacon Bluff - Parcel Map.pdf

Date	Ver.	Action By	Action	Result
2/21/2012	1	Mayor's Office	Signed	
2/15/2012	1	City Council	Adopted	Pass

Authorizing the release of City Easements within the Saint Paul Port Authority's Beacon Bluff Development.

WHEREAS, a request has been received by the Saint Paul Port Authority ("Port Authority") for the release of various slope easements and temporary construction easement within the parcels legally described in Exhibit A attached hereto; and

WHEREAS, the City of Saint Paul ("City") has determined that its easement rights, as identified below, may be waived, released and terminated; now, therefore be it

RESOLVED, that with the Certificates of Intended Non-Use, filed voluntarily on behalf of the City of Saint Paul - Public Works, a municipal corporation; and made a part hereof by this reference and filed in the Office of the Financial Services Real Estate Section; the City, hereby waives, releases and terminates the easement rights as more particularly identified below:

A. The City was granted certain rights pursuant to that certain Final Certificate filed of record in the Office of the County Recorder in and for Ramsey County, Minnesota, on September 29, 1941, as Document No. 998380, and filed of record in the Office of Registrar of Titles in and for Ramsey County, Minnesota, on September 29, 1941, as Document No. 195539.

The City hereby releases the following easement rights as identified in Document Nos. 998380 and 195539:

1. Temporary construction easement to the City on Lot 5 for construction of a retaining wall and steps and reconstruction of a porch. (Parcel 5);
2. Temporary construction easement to the City on the westerly 50 feet of Lots 5, 6, 7 and the south 26 feet of Lot 4, Block 4, Auditor's Subdivision No. 7. (Parcel 5); and
3. Temporary construction easement to the City over the easterly 50 feet of Lots 1 and 2 and the vacated alley in Block 1, E.M. Mackubin's Addition (Parcel 3).

The City retains in full force and effect the following easement rights as identified in Document Nos. 998380 and 195539:

4. Easement to the City for constructing a fill slope on Lots 3, 4, and the northerly 1.2 feet of Lot 5,

Block 4, Auditor's Subdivision No. 7 (Parcel 5);

5. Easement to the City for constructing a stone slope wall on Lots 3, 4, and the northerly 1.2 feet of Lot 5, Block 4, Auditor's Subdivision No. 7 (Parcel 5);

6. Easement to the City to construct and maintain a concrete footing for a retaining wall on the westerly 5 feet of the southerly 20 feet of the northerly 41.5 feet of Lot 5, Block 4 (Parcel 5);

7. Easement to the City for a fill slope on Lot 6 and the south 8.5 feet of Lot 5, Block 4 (Parcel 5);

8. Easement to the City to construct and maintain concrete footings for a new retaining wall along the west side of Forest Street from a width of 5.5 feet at 274.9 feet north of Fauquier Avenue to 1.0 foot wide 20 feet north of that (Parcel 3); and

9. Easement to the City to raise the present retaining wall (at that time) being 1.3 feet wide and running from 254.9 feet to 274.9 feet north of Fauquier Avenue (Parcel 3).

B. The City was granted certain rights pursuant to that certain Deed dated December 3, 1941, and filed of record in the Office of Registrar of Titles in and for Ramsey County, Minnesota, on December 3, 1941, as Document No. 197106.

The City hereby releases the following easement rights as identified in Document 197106:

1. Temporary construction easement to the City for construction purposes on the westerly 50 feet of Lots 6 and 7, Block 4, except the north 109 feet thereof (Parcel 5).

The City retains in full force and effect the following easement rights as identified in Document No. 197106:

1. 8.0 foot wide easement to the City for a public sewer described therein (Parcel 5).

C. The City was granted a fill slope easement pursuant to that certain Deed dated October 8, 1941, and filed of record in the Office of Registrar of Titles in and for Ramsey County, Minnesota, on April 17, 1942, as Document No. 199587.

The City hereby releases its easement rights as identified in Document No. 199587.

D. The City was granted a slope easement pursuant to that certain document dated February 20, 1968, and filed of record on July 10, 1968, as Document No. 1728011 in Book 91 of Plans, Page 49.

The City hereby releases its easement rights as identified in Document No. 1728011 in Book 91 of Plans, Page 49 (Parcel 5).

F. The City was granted a temporary easement over the west 50 feet of Parcel 4 pursuant to that certain Deed dated October 15, 1941, and filed of record in the Office of Recorder in and for Ramsey County, Minnesota, as Document No. 999620.

The City hereby releases only its temporary easement rights over the west 50 feet of Parcel 4, as identified in Document No. 999620, and retains all other easement rights identified in said document.

; and be it further

RESOLVED, that upon passage of this resolution and the City's receipt of a \$300.00 administrative processing fee the proper city officials are hereby authorized and directed to record a copy of said resolution in the office of the Ramsey County Recorder and/or Registrar of Titles, and that the Office of Financial Services Real Estate Section shall maintain on file a copy of the Certificates of Intended Non-Use referenced in this resolution.

None