



Legislation Details (With Text)

File #: RES 15-1325 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 10/7/2015
Title: Approving the release of water utility easements and accepting public sidewalk and storm sewer easements at 411 Main Street for Dorothy Day LLC.
Sponsors: Dave Thune
Indexes:
Code sections:
Attachments: 1. Exhibit A, 2. Exhibit B - Sidewalk Easement, 3. Exhibit C - Storm Sewer Easement

Date	Ver.	Action By	Action	Result
10/9/2015	1	Mayor's Office	Signed	
10/7/2015	1	City Council	Adopted	Pass

Approving the release of water utility easements and accepting public sidewalk and storm sewer easements at 411 Main Street for Dorothy Day LLC.

WHEREAS, a request has been received by Dorothy Day LLC ("Owner") for the release of water utility easements retained within a portion of West Ninth Street and an alley immediately to the north, as vacated in Council file No. 92-1744, adopted November 17, 1992 (Document Nos. 995395, Abstract, and 2687348, Torrens), and located on Owner's property at 411 Main Street; and

WHEREAS, said utility easements are located within the property described as:

The vacated east-west alley between the East line of Smith Avenue and the West line of Main Street, Block 57, Irvine's Enlargement; and

Vacated West Ninth Street between the East line of Smith Avenue and the West line of Main Street, Block 57, Irvine's Enlargement,

and depicted in Exhibit A attached hereto; and

WHEREAS, the Saint Paul Board of Water Commissioners ("Board") has determined that its easement rights within said vacated alley may be waived, released and terminated, subject to the Board's acceptance of a new easement centered on the existing water line located immediately north of said alley; and

WHEREAS, the Board has determined that its easement rights within said vacated street may be unconditionally waived, released and terminated; and

WHEREAS, the City of Saint Paul ("City") has required a public sidewalk easement over part of Owner's property, and has agreed to accept said easement, as provided in Exhibit B attached hereto; and

WHEREAS, the City also has required a public sidewalk easement over part of Owner's property, and has agreed to accept said easement, as provided in Exhibit C attached hereto; now, therefore be it

RESOLVED, that with the Certificate of Intended Non-Use, filed voluntarily on behalf of the Board in the Office of Financial Services Real Estate Section, the City hereby waives, releases and terminates, on behalf of the Board, said water utility easement rights; and be it further

RESOLVED, that the City hereby accepts said public sidewalk easement and storm sewer easement in a form and content substantially as set forth in Exhibits B and C attached hereto; and be it finally

RESOLVED, that upon passage of this resolution and the City's receipt of a \$300.00 administrative processing fee, the proper City officials or Owner are hereby authorized to record a certified copy of same and an executed public sidewalk easement and storm sewer easement 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 Certificate of Intended Non-Use referenced in this resolution.