



## Legislation Details (With Text)

**File #:** RES 14-1246 **Version:** 1  
**Type:** Resolution **Status:** Passed  
**In control:** City Council  
**Final action:** 11/5/2014

**Title:** Approving the release of utility easement rights within a vacated alley abutting the Nasseff Heart Center located at 225 Smith Avenue North.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit B - Survey Drawing

Date	Ver.	Action By	Action	Result
11/10/2014	1	Mayor's Office	Signed	
11/5/2014	1	City Council	Adopted	Pass

Approving the release of utility easement rights within a vacated alley abutting the Nasseff Heart Center located at 225 Smith Avenue North.

WHEREAS, Allina Health System ("Allina") owns the property at 225 Smith Avenue North in Saint Paul (the "Property") on which is located the Nasseff Heart Center ("NHC"); and  
WHEREAS, in 2005 Allina petitioned the City of Saint Paul ("City") to vacate an alley abutting the Property; and

WHEREAS, on April 19, 2006 the City Council approved the alley vacation (the "Vacation") as memorialized in Council File No. 06-376, attached hereto as Exhibit A and recorded in Ramsey County property records as Document No. 3981325 (Abstract); and  
WHEREAS, the Vacation retained utility easements to protect the interests of Qwest Corporation, Xcel Energy and District Energy; and

WHEREAS a portion of the NHC was constructed within the vacated alley where said utility easements had been retained; and  
WHEREAS, the City has received a request from Allina to release said utility easements, but only in the part of the vacated alley situated within the footprint of the NHC, as depicted in Exhibit B, attached hereto; and  
WHEREAS, Qwest, Xcel Energy and District Energy have determined that their easements within the footprint of the NHC may be released; now, therefore be it

RESOLVED, that with the Certificates of Intended Non-Use, filed voluntarily on behalf of Northern States Power Co., d/b/a/Xcel Energy (Electric), Qwest Corporation, d/b/a CenturyLink and District Energy St. Paul, Inc., the City hereby waives the rights to the utility easements retained within the vacated alley area depicted in Exhibit B; 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 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.