



Legislation Text

File #: RES PH 23-147, **Version:** 1

Approving the petition of the City to vacate the West Earl Street Service Drive between Ross Avenue and Seventh Street East.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of the City of Saint Paul, ("Petitioner"), as documented in Office of Financial Services' Vacation File Number 10-2022, the public property described and depicted in Exhibit A attached hereto is hereby vacated and discontinued as public property and, subject to the following conditions, the utility easements within said public property are hereby released in accordance with Section 130.05(3):

1. An easement shall be retained over, under and across the vacation area on behalf of Verizon (MCI) for its existing facilities. If relocation of said existing facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facilities.
2. An easement shall be retained over, under and across the vacation area on behalf of CenturyLink (dba Lumen) for its existing facilities. If relocation of said existing facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs for relocation of said facilities.
3. An access easement to maintain a water service connection (aka 31 SS 7th) shall be retained over, under and across the vacation area on behalf of Saint Paul Regional Water Services until said connection is cut off at the water main.
4. A 20-foot-wide sewer easement, centered on the existing storm sewer shall be retained over, under and across the vacation area on behalf of the City of Saint Paul, Department of Public Works, for its existing sewer facilities. If relocation of the existing facility is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facility.
5. A public drainage easement shall be retained over the vacation area on behalf of City of Saint Paul, Department of Public Works.
6. As a part of any development within the vacation area, the following requirements must be met, all to the satisfaction of the City of Saint Paul, Department of Public Works:
 - a. The total curb cut space along 7th Street East should be minimized,
 - b. A properly graded drainage area must be established to accommodate adjacent drainage patterns. The use of grass is permissible, but not other plantings or stormwater management devices.
7. The Petitioner, its successors and assigns shall pay \$600.00 to the City of Saint Paul as an administrative fee for this vacation which is due and payable within 60 days of the effective date of this resolution.
8. The Petitioner, its successors and assigns shall, within 60 days of the effective date of this resolution, file with the Office of Financial Services/Real Estate Section, an acceptance in writing of the conditions

of this resolution and shall, within the period specified in the terms and conditions of this resolution, comply in all respects with these terms and conditions.