



Legislation Text

File #: RES PH 15-357, **Version:** 1

Approving the petition of Emily Angyal to vacate that part of Howell Street, North of Roblyn Avenue and South of Highway 94 right of way, Saint Paul, Minnesota, Saint Paul, Minnesota

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Emily Angyal ("Petitioner") to vacate a part Howell Street north of Roblyn Avenue and south of Highway 94 right of way, Saint Paul, Minnesota, as documented in Office of Financial Services Vacation File Number 10-2015, the public property described as:

East of Lot 12, Block 8, west of Lot 7, Block 9 and south of a line that runs southeasterly from the northeast corner of Lot 8, Block 8 to a point on the west line of Lot 7, Block 9, distant 70 feet northerly of the southwest corner of Lot 7, Block 9 of Merriam's Rearrangement of Merriam Park Ramsey County, Minnesota (as to Blocks 7, 8, 9, 10 and 16).

is hereby vacated and discontinued as public property and, subject to the following conditions, all of the 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 proposed vacation area on behalf of CenturyLink for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities.
2. An easement shall be retained over, under and across the proposed vacation area on behalf of Comcast for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities.
- 3 The Petitioner shall remove driveway apron from the easterly half of the proposed vacation area in accordance with City of Saint Paul Department of Public Works standards, or obtain a permit from the Minnesota Department of Transportation to use the area.
- 4 The Petitioner must apply to the City of Saint Paul's Site Plan Review process, Department of Safety and Inspections, for approval of any improvements in the vacated area.
5. The Petitioner, her successors and assigns, shall pay \$1,200.00 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.
6. The Petitioner, her 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.
7. The Petitioner, her successors and assigns, agrees to indemnify, defend and save harmless the City of Saint Paul, its officers and employees from all suits, actions or claims of any character brought as a result of injuries or damages received or sustained by any person, persons or property on account of this vacation, or the Petitioner's use of this property, including but not limited to, a claim brought because of any act of omission, neglect, or misconduct of said Petitioner or because of any claims or liability arising from any

violation of any law or regulation made in accordance with the law, whether by the Petitioner or any of her agents or employees.