



Legislation Text

File #: RES PH 12-331, **Version:** 1

Authorization to (1) Acquire East Three feet of the City Owned Holly Tot Lot at 519 Holly Avenue; (2) Release of Deed Restriction for Parkland Use for the Three Feet Acquired; and (3) Convey Said Three Foot Parcel to Eugene W. Courtney and Barbara A. Courtney, Summit University, District 8, Ward 1.

WHEREAS, the City of Saint Paul ("City") owns park land originally conveyed to the City from the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota ("HRA") by Deed of Dedication, said land is located at 519 Holly Avenue ("Holly Tot Lot") which is maintained as a mini-Park by the Department of Parks and Recreation; and

WHEREAS, Eugene and Barbara Courtney are the property owners of the adjacent lot located at 509 Holly Avenue ("Property Owners"); and

WHEREAS, the City has not used the East 3 feet of the Holly Tot Lot ("East 3 Feet of Tot Lot") because it is separated from the improved Holly Tot Lot by a fence installed by the City many years ago; and

WHEREAS, due to the location of the fence, Property Owners have used the East 3 feet of Tot Lot for walkway to the back of their property and for access to that side of their townhouse at 509 Holly; and

WHEREAS, City Parks and Recreation has determined the East 3 Feet of Tot Lot is not needed and can be disposed of due to the current location of the fence and because the Holly tot lot has been recently reconstructed within its current boundaries so that the 3 feet will not be needed in the future; and

WHEREAS, Parks and Recreation Commission has recommended approval of the disposal as stated in its Resolution No. 11-08 adopted May 11, 2011; and

WHEREAS, City has obtained approval to dispose of the East 3 Feet of Tot Lot by conveyance to HRA and subsequent conveyance to Property Owners by Res. Ph 12-315 on November 7, 2012; and

WHEREAS, HRA will accept conveyance and subsequently convey to the Property Owners under its disposition policy pursuant to the request of the City and further will release parkland restriction for the East 3 feet of the Tot Lot which is currently a covenant restricting the entire Tot Lot.

NOW THEREFORE BE IT RESOLVED by the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota,

1. That the public acquisition by transfer from the City pursuant to the terms and conditions of the Disposition Policy of the East 3 feet of Tot Lot described below is hereby approved.

The East 3 feet of Lot 20, Block 15, Woodland Park Addition to the City of Saint Paul, Ramsey County, Minnesota ("Parcel").

2. That the covenant restricting the Holly Tot Lot for use for parkland is approved for release as to the Parcel .
3. That the conveyance of the Parcel to the Property Owners is approved and that a Deed of Conveyance

of Parcel to Eugene W. Courtney and Barbara A. Courtney is authorized by the Board of Commissioners to be executed on its behalf by the Chairperson or his or her designated Commissioner of the HRA.

4. The Acquisition Agreement among the City, HRA and Property Owners is hereby approved and the Chair/Commissioner and Director, Office of Financial Services are authorized and directed to execute such agreement on behalf of the HRA in the form submitted.
5. The HRA Executive Director and staff are authorized and directed to take all actions needed to implement this Resolution.