



## Legislation Text

---

**File #:** RES PH 12-315, **Version:** 2

---

Authorizing disposal of the east three feet of the city-owned Holly Tot Lot, and approving a three-party agreement to facilitate disposal.

WHEREAS, the City of Saint Paul ("City") owns park land located at 519 Holly Avenue, which is maintained by the Department of Parks and Recreation ("Parks & Rec") as the Holly Tot Lot ("Tot Lot"), and shown on Attachment A ;and

WHEREAS, Eugene and Barbara Courtney ("Property Owners") of 509 Holly Avenue, which adjoins the Tot Lot on its eastern border, are requesting the City's disposal and their purchase of the east three (3.0) feet of the Tot Lot (the "Disposal Property") for use as a walkway from the front of their property to the rear and for access to utility pipes and meters located on the outside of their town home building, as shown on Attachment B and Exhibit A attached hereto, a copy of which is on file in the Office of Financial Services-Real Estate Division in the file number 02-PKLDVRS-2011; and

WHEREAS, Parks & Rec has not used said Disposal Property because it is separated from the improved Tot Lot to the west by a fence installed by Parks & Rec many years ago; and Parks & Rec recently reconstructed the Tot Lot within its current boundaries so that the Disposal Property will not be needed in the future; and

WHEREAS, Parks & Rec has determined that the Disposal Property may be disposed of for the requested purpose, and the Parks and Recreation Commission has recommended approval of the disposal, as stated in the its Resolution Numbered 11-08, adopted May 11, 2011 and attached hereto as Exhibit B; and

WHEREAS, the City wishes to convey the Disposal Property to the Housing and Redevelopment Authority of the City of Saint Paul ("HRA") for subsequent conveyance to said Property Owners, as provided in the three-party Acquisition Agreement attached hereto as Exhibit C; now, therefore be it

RESOLVED, that the proper city officials are hereby authorized and directed to dispose of said Disposal Property, by quit claim deed, to the HRA for subsequent conveyance to said Property Owners; to execute said Acquisition Agreement in a form and content substantially as set forth in Exhibit C; and to accept from said Property Owners: 1) just compensation in the form of cash to be deposited into the Parkland Replacement Fund and held in reserve for future purchase of park property, as required by Chapter 13.01.1 of the City Charter; and 2) all fees required by the City to comply with its parkland diversion guidelines.

Financial analysis form not required