



## Legislation Text

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**File #:** RES 10-1511, **Version:** 1

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Approving a declaration affecting a section of Phalen Boulevard ROW, and the underlying Ramsey County Regional Rail Authority property, which was reconstructed for access to the Baldinger Bakery site.

WHEREAS, the City of Saint Paul ("City") has reconstructed a small section of Phalen Boulevard with turn lanes to provide access to the new Baldinger Bakery site located at 1256 Phalen Boulevard, said section legally described and depicted in the attached Exhibit A (the "Restricted Property"); and

WHEREAS, said reconstruction was financed with a grant from the Minnesota Department of Employment and Economic Development (DEED); and

WHEREAS, in order to comply with the terms of the DEED grant, the City needs to impose certain restrictions on the Restricted Property, which is owned by the Ramsey County Regional Railway Authority and upon which the City maintains its Phalen Boulevard right-of-way easement; now, therefore be it

RESOLVED, that the Mayor and Council of the City of Saint Paul do hereby approve the following restrictions on the Restricted Property:

A. The Restricted Property is bond financed property within the meaning of Minn. Stat. § 16A.695 that exists as of the effective date of the grant agreement, is subject to the encumbrance created and requirements imposed by such statutory provision, and cannot be sold or otherwise disposed of by the public officer or agency which has jurisdiction over it or owns it without the approval of the commissioner of the Minnesota Department of Finance, which approval must be evidenced by a written statement signed by said commissioner and attached to the deed or instrument used to sell or otherwise dispose of the Restricted Property; and

B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in that certain Grant Agreement Construction Grant For The Griffin Wheel Works Project, RDGP-07-0007-o-FY07 between the Port Authority of the City of Saint Paul and the Minnesota Department of Employment and Economic Development, dated March 16, 2007.

The Restricted Property shall remain subject to such restrictions and encumbrances until it is released therefrom by way of a written release in recordable form signed by both the Minnesota Department of Employment and Economic Development and the commissioner of the Minnesota Department of Finance, and such written release is recorded in the real estate records relating to the Restricted Property.

This Declaration may not be terminated, amended, or in any way modified without the specific written consent of the commissioner of the Minnesota Department of Finance;

and be it further

RESOLVED, that the proper city officials are authorized to record this resolution with the Ramsey County Recorder's Office.

None