



Legislation Text

File #: RES PH 13-120, **Version:** 1

Approving the petition of James Keig Esq. Stephenson, Sanford, Thone, Pierson and Strean, PLC, attorney for Wells Fargo Financial Minnesota Inc., to vacate that part of right of way adjacent to 681 Dodd Road.

BE IT RESOLVED, that upon the petition of James Keig ("Petitioner"), as documented in the Office of Financial Services Vacation File Number 08-2013, the public property described as:

That part of the South Half of Lot 2, Block 133, West St. Paul, Ramsey County, Minnesota, described as commencing at northwest corner of said South Half; thence on an assumed bearing of North 89 degrees 22 minutes 12 seconds East along the north line of said South Half a distance of 98.08 feet to the northwesterly right of way line of Dodd Road; thence South 44 degrees 52 minutes 15 seconds West along said right of way line a distance of 17.09 feet to the point of beginning of the tract to be described; thence South 00 degrees 59 minutes 55 seconds West a distance of 12.00 feet; thence North 88 degrees 45 minutes 42 seconds West a distance of 11.49 to said right of way line; thence northeasterly along said right of way line to the point of beginning.

Also,

That part of Lots 3 and 4, Block 133, West St. Paul, Ramsey County, Minnesota, described as commencing at the northwest corner of the South Half of Lot 2 in said Block 133; thence on an assumed bearing of North 89 degrees 22 minutes 12 seconds East along the north line of said South Half, a distance of 98.08 feet to the northwesterly right of way line of Dodd Road; thence South 44 degrees 52 minutes 15 seconds West along said right of way line a distance of 98.19 feet to the point of beginning of the tract to be described; thence South 01 degrees 15 minutes 09 seconds East a distance of 14.61 feet; thence South 89 degrees 14 minutes 12 seconds West a distance of 15.06 to said right of way line; thence northeasterly along said right of way line to the point of beginning.

and depicted in Exhibit A attached hereto, is hereby vacated and discontinued as public property and, subject to the following conditions, the easements within said public property are hereby released.

1. This vacation shall be subject to the terms and conditions of Chapter 130, codified March 1, 1981, of the Saint Paul Legislative Code as amended.
2. That this vacation shall be for the life of the existing structures within the Dodd Road right of way. If the structures are removed or destroyed, no rebuilding will be allowed in the vacated area, and the vacated area will automatically revert back to the City as public right of way.
3. The Petitioner, his 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.
4. The Petitioner, his 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.

5. The Petitioner, his successors and assigns agree 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 his agents or employees.