



Legislation Details (With Text)

File #: RES PH 12- 37 **Version:** 2

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 2/15/2012

Title: Approving the petition of the Saint Paul Port Authority to vacate portions of Wells Street, Duchess Street, and Russell Street, as dedicated in the plat of Auditors Subdivision No. 7, in the City of Saint Paul.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Exhibit A - Legal Description, 2. Exhibit B - Map, 3. Exhibit C - Easement Doc

Date	Ver.	Action By	Action	Result
2/21/2012	2	Mayor's Office	Signed	
2/15/2012	1	City Council	Adopted As Amended	Pass

Approving the petition of the Saint Paul Port Authority to vacate portions of Wells Street, Duchess Street, and Russell Street, as dedicated in the plat of Auditors Subdivision No. 7, in the City of Saint Paul.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of the Saint Paul Port Authority ("Petitioner"), as documented in Office of Financial Services Vacation File Number 04-2010, the public property, as described in Exhibit A and depicted in Exhibit B attached hereto, is hereby vacated and discontinued as public property and, subject to the following conditions, all of the utility easements within said public property are hereby released in accordance with Section 130.05(3):

1. Saint Paul Regional Water Services releases its easement rights in the proposed vacation areas within Auditor's Subdivision No. 7, and but retains those easement rights dedicated by the Saint Paul Port Authority in its Dedication of Easement for Street, Drainage and Utility Purposes, recorded on December 15, 2011 with the Ramsey County Registrar of Titles as Document Number 2129454 ~~<tel:2129454>~~ and the Office of County Recorder as Document Number 4258145. ~~<tel:4258145>~~.
2. The Petitioner, its successors and assigns, shall dedicate to the City by recordable document a Dedication of Easement for Trail Purposes and Bridge Reconstruction, attached hereto as Exhibit C.
3. ~~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.~~
4. ~~3.~~ The Petitioner, its successors and assigns shall pay \$2,000.00 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.
5. ~~4.~~ The Petitioner, its 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.

6- 5. The Petitioner, its 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 its agents or employees.

None