Legislation Details (With Text)

File #:	RES PH 12-334 **Version:** 2
Type:	Resolution-Public Hearing

Status:	Passed
In control:	City Council
Final action:	12/12/2012

Title: Approving the petition of 180 Degrees Inc. to vacate a portion of English Street and the adjacent alley abutting its property at 1291 and 1301 Seventh Street East. (Public hearing held December 5)

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Exhibit A - Vacation Area.pdf, 2. Exhibit B - Easement Dedication Area.pdf, 3. Elfstrand letter re English St vacation, 4. Ritter letter re English St vacation

Date	Ver.	Action By	Action	Result
12/14/2012	1	Mayor's Office	Signed	
12/12/2012	1	City Council	Adopted	Pass
12/5/2012	1	City Council	Laid Over	Pass

Approving the petition of 180 Degrees Inc. to vacate a portion of English Street and the adjacent alley abutting its property at 1291 and 1301 Seventh Street East. (Public hearing held December 5)

BE IT RESOLVED, that upon the petition of 180 Degrees Inc. ("Petitioner"), as documented in Office of Financial Services Vacation File Number 11-2012, the public property described 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. An easement shall be retained over, under and across the proposed vacation area on behalf of Northern States Power Company d/b/a Xcel Energy - Electric Division for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the alley vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities.

2. An easement shall be retained over, under and across the proposed vacation area on behalf Comcast, a Pennsylvania Corporation, for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the alley vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities.

3. Subsequent to the vacation of said English Street as described above, and subject to approval by the Department of Public Works, Petitioner shall dedicate a permanent right-of-way easement over a portion of vacated English Street and part of Petitioner's 1291 Seventh Street East property, as described and depicted in Exhibit B attached hereto; and shall improve said easement area as a public alley and vehicle turnaround.

4. 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.

5. The Petitioner, its successors and assigns shall pay $1,200.00 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.

6.   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.

7.   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.

Financial analysis is not applicable.