



Legislation Details (With Text)

File #: RES 13-1394 **Version:** 1

Type: Resolution **Status:** Passed
In control: City Council
Final action: 9/18/2013

Title: Accepting a license agreement between the City of Saint Paul and the BNSF Railway Company for an underground force main on BNSF property.

Sponsors: Amy Brendmoen

Indexes:

Code sections:

Attachments: 1. Exhibit A - Final Order -Trout Brook, 2. Exhibit B Trout Brook - City- BNSF License Agreement

Date	Ver.	Action By	Action	Result
9/23/2013	1	Mayor's Office	Signed	
9/18/2013	1	City Council	Adopted	Pass

Accepting a license agreement between the City of Saint Paul and the BNSF Railway Company for an underground force main on BNSF property.

WHEREAS, on May 15, 2013 the Council of the City of Saint Paul ("City") approved a Final Order (RES PH 13 -104) to authorize acquisition of property rights necessary for the placement of an underground pipeline, as depicted in Exhibit A attached hereto; and

WHEREAS, the City and BNSF have prepared a License Agreement ("License") for the City's use of BNSF's property, attached hereto as Exhibit B; and

WHEREAS, the City has agreed to pay One Thousand Five Hundred and 00/100 Dollars (\$1500.00) for said property rights, this being a fair and reasonable value as determined by an appraisal and negotiated and agreed to between the City and BNSF; and

WHEREAS, the Real Estate Manager has recommended payment for said property rights at the agreed-upon value, plus other considerations as outlined in the License; and

WHEREAS, said License requires indemnification by the City and its contractors for any claims, damages, liabilities and costs related to the City's use of the BNSF property; now, therefore be it

RESOLVED, that the Mayor and City Council do hereby approve said License in a form and content substantially as set forth in Exhibit B, and authorize and direct the proper city officials to execute said License and pay the BNSF the agreed-upon value, said sum to be charged to Activity Code C13-3F066-0883-34192;

Financial analysis is not applicable.