



## Legislation Details (With Text)

**File #:** RES 15-135    **Version:** 1

**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 1/21/2015

**Title:** Amending previous Transfer of Sewer Ownership Agreement #2 (Council File RES 14-1190).

**Sponsors:** Kathy Lantry

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A Capitol Campus Sanitary Pipes

Date	Ver.	Action By	Action	Result
1/23/2015	1	Mayor's Office	Signed	
1/21/2015	1	City Council	Adopted	Pass

Amending previous Transfer of Sewer Ownership Agreement #2 (Council File RES 14-1190).

This Agreement, effective on the date of execution by both parties, is made and entered into by and between the State of Minnesota, hereinafter referred to as the "State", and the City of Saint Paul, Minnesota, hereinafter referred to as the "City",

WHEREAS, the City has declared that it's 686 feet of 12 inch sanitary sewer piping system in the Capitol Campus, from to Rev. Dr. Martin Luther King Blvd to Cedar Avenue, as described in Exhibit A (hereinafter referred to as the "686 feet of 12 inch sanitary sewer piping system in the Capitol Campus"), has no major defect and is serving only one private sanitary sewer service, and

WHEREAS, the City's policy requires that the ownership of a public sewer serving only one private sewer service be transferred to the owner of the private sewer service,

NOW, THEREFORE, the State and City mutually agree that:

1. The State shall accept full ownership of the 686 feet of 12 inch sanitary sewer piping system in the Capitol Campus "as is".
2. **Notwithstanding Chapter 130, codified March 1, 1981, of the Saint Paul Legislative Code as amended, the State and the City also agree that each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the act of any others and the results thereof. The State's liability shall be governed by the provisions of the State of Minnesota Tort Claims Act, Minnesota Statutes, Section 3.736 and the City's liability shall be governed by Minnesota Statutes Chapter 466, et. al.**

This Agreement constitutes the entire understanding between the City and the State, and shall be permanently binding on both parties unless it is terminated by mutual consent.