



Legislation Details (With Text)

File #: RES 15-1322 **Version:** 1
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In control: City Council
Final action: 7/22/2015
Title: Approving the release of utility and slope easements within the property at 1520 Minnehaha Avenue East.
Sponsors: Bill Finney
Indexes:
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Attachments: 1. Aerial of Cemstone Site

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 7/28/2015 | 1 | Mayor's Office | Signed | |
| 7/22/2015 | 1 | City Council | Adopted | Pass |

Approving the release of utility and slope easements within the property at 1520 Minnehaha Avenue East.

WHEREAS, a request has been received from Twin City Concrete Products Company for the release of existing Utility and Slope Easements in Hazelwood Street, Birmingham Street and vacated Barclay Street; and

WHEREAS, the public and private utilities with easements in said vacated streets have determined that their easement rights, as identified below, may be waived, released and terminated; now, therefore be it

RESOLVED, that with the Certificates of Intended Non-Use, filed voluntarily on behalf of: the City of Saint Paul Public Works Department; the Saint Paul Board of Water Commissioners; Ever-Green Energy, LLC for District Energy St. Paul, Inc. & District Cooling St. Paul, Inc.; Comcast; Northern States Power d/b/a Xcel Energy - Gas and Electric Divisions; CenturyLink; and Verizon Business (MCI); and made a part hereof by this reference and filed in the Office of Financial Services Real Estate Section; the City, for itself and on behalf of said public and private utilities, hereby waives, releases and terminates the following utility easement rights;

1. The utility easements contained in Council File No. 214266 and filed of record on August 15, 1963, as Document Nos. 1596871 (Abstract) and 459959 (Torrens). which relate to the vacation of portions of Barclay Street; and

2. The utility easements contained in Council File No. 214266 and filed of record on August 15, 1963, as Document Nos. 1596872 (Abstract) and 459960 (Torrens). which relate to the vacation of portions of Barclay Street;

and be it further

RESOLVED that Council File No. 214266 is hereby amended as follows;

Paragraph 2 of the conditions and reservations shall read:

2. 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.

and be it further

RESOLVED, that with the Certificate of Intended Non-Use, filed voluntarily on behalf of the City of Saint Paul - Public Works, a municipal corporation, and made a part hereof by this reference and filed in the Office of the Financial Services Real Estate Section, the City hereby waives, releases and terminates the following slope easement rights:

Easement for slopes, cuts and fills in favor of the City of St. Paul filed December 18, 1956, as Document No. 373253

Easement for slopes, cuts and fills in favor of the City of St. Paul filed December 28, 1956, as Document No. 373610

Easement for slopes, cuts and fills in favor of the City of St. Paul filed November 14, 1966, as Document No. 505369;

and be it finally

RESOLVED, that upon passage of this resolution, said easement rights are released and the proper city officials or property owner are hereby authorized and directed to record a copy of said resolution in the office of the Ramsey County Recorder and/or Registrar of Titles, and that the Office of Financial Services Real Estate Section shall maintain on file copies of the Certificates of Intended Non-Use referenced in this resolution.