



## Legislation Details (With Text)

**File #:** RES 18-1265 **Version:** 1  
**Type:** Resolution **Status:** Passed  
**In control:** City Council  
**Final action:** 8/1/2018  
**Title:** Authorizing execution of an Easement Agreement with the Ramsey County Regional Railroad Authority for a City Flood Prevention Project.  
**Sponsors:** Rebecca Noecker  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Exhibit A - Depiction and Legal Description - Broadway Easements, 2. Exhibit B - RCRRA/City Easement Agreement

Date	Ver.	Action By	Action	Result
8/7/2018	1	Mayor's Office	Signed	
8/1/2018	1	City Council		

Authorizing execution of an Easement Agreement with the Ramsey County Regional Railroad Authority for a City Flood Prevention Project.

WHEREAS, the City of Saint Paul ("City") is seeking to acquire property rights, including a permanent sewer easement and temporary staging, storage and access easement over, under and across property owned by the Ramsey County Regional Railroad Authority ("RCRRA") and located in Saint Paul, said easements described and depicted in Exhibit A attached hereto; and

WHEREAS, said easements are necessary for the City's construction of a new flood pumping station and back up power generator system, and to rehabilitate the existing lift station and use the storm and sanitary sewer system, (collectively, the "Facilities") previously constructed in vacated Broadway Street south of the Kellogg Boulevard/Third Street intersection; and

WHEREAS, the City and RCRRA have agreed to said easements, as documented in the Amended and Restated Easement Agreement ("Easement Agreement") attached hereto as Exhibit B; and

WHEREAS, the Easement Agreement includes an indemnity provision whereby the City and its contractor agree to indemnify RCRRA and Ramsey County for any damages arising out of the City's use of the easement in connection with the project. There is also a mutual indemnification provision related to the Facilities located in the easement area (see Sec. 10); and

WHEREAS, the Real Estate Manager of the Office of Financial Services has recommended the acceptance of said easement rights from RCRRA; now, therefore be it

RESOLVED, that the Saint Paul City Council does hereby authorize and direct the proper city officials to:

- 1) Execute the Easement Agreement for said permanent and temporary easements in a form and content substantially as set forth in Exhibit B, and
- 2) Record the Easement Agreement with the Ramsey County Registrar's Office and/or Recorder's Office.

