



Legislation Details (With Text)

File #: RES PH 18- 367 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 12/19/2018

Title: Approving the petition of the Housing and Redevelopment Authority and Michael Buelow to vacate a portion of the alley in Block 3, Lyton's Addition.

Sponsors: Dai Thao

Indexes:

Code sections:

Attachments: 1. Aerial Map, 2. Exhibit A Description & Depiction, 3. Vanwert Email, 4. Arnold Email 12-18-2018, 5. Advanced Disposal Email 12-19-2018

Date	Ver.	Action By	Action	Result
12/20/2018	1	Mayor's Office	Signed	
12/19/2018	1	City Council	Adopted	Pass

Approving the petition of the Housing and Redevelopment Authority and Michael Buelow to vacate a portion of the alley in Block 3, Lyton's Addition.

WHEREAS, the Housing and Redevelopment Authority of the City of Saint Paul and Michael Buelow ("Petitioner") have petitioned to vacate a portion of the alley in Block 3, Lyton's Addition to St. Paul; and

WHEREAS, the City of Saint Paul Department of Planning and Economic Development, citing Legislative Code 69.502, recommends denial of the vacation petition because the vacation would create a dead-end alley that could be avoided; so, therefore

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of the Petitioner, as documented in Office of Financial Services' Vacation File Number 09-2018, the public property described and depicted in Exhibit "A" is hereby to be vacated and discontinued as public property and, subject to the following conditions, the utility easements within said public property are hereby released in accordance with Section 130.05(3):

1. An easement shall be retained over, under and across the proposed vacated alley on behalf of Qwest Corporation d/b/a CenturyLink QC for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facilities.
2. An easement shall be retained over, under and across the proposed vacated alley on behalf of Xcel Energy for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facilities.
3. An easement shall be retained over, under and across the proposed vacated alley on behalf of Comcast for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioners, its successors and assigns, shall assume all costs of relocation of said

facilities, including new easements as required.

4. 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.
5. 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.
6. 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.