



## Legislation Details (With Text)

**File #:** RES 21-49      **Version:** 1

**Type:** Resolution      **Status:** Passed

**In control:** City Council

**Final action:** 2/3/2021

**Title:** Approving the release of a portion of the utility easement rights retained in vacation file RES PH 20-123.

**Sponsors:** Rebecca Noecker

**Indexes:**

**Code sections:**

**Attachments:** 1. Doc 4822952 Res 20\_123 Vacates Alley

Date	Ver.	Action By	Action	Result
2/4/2021	1	Mayor's Office	Signed	
2/3/2021	1	City Council		

Approving the release of a portion of the utility easement rights retained in vacation file RES PH 20-123.

WHEREAS, on May 5th, 2020, the St. Paul City Council approved resolution RES PH 20-123, which vacated alley right-of-way as part of the improvement of the site at 337 W. 7th Street. Easement rights were retained by various utilities as a condition of the vacation. On July 20, 2020, resolution RES PH 20-123 was recorded in Ramsey County property records as Document Number 4822952, a copy of which is attached hereto; and

WHEREAS, Mike Munson, on behalf of the Ackerberg Group and Bonfe Properties, LLP ("Owner"), owns or has interest in property located at 337 W. 7th Street (the "Property"), and the Property includes a portion of the vacated alley indicated in Ramsey County Document Number 4822952; and

WHEREAS, the Owner has relocated utilities which encumbered portions of the vacated alley so that some of the easement rights retained in the vacation resolution are no longer needed; now, therefore, be it

RESOLVED, that with the Certificate of Intended Non-Use, filed voluntarily on behalf of Xcel Energy, Verizon (MCI) and CenturyLink (Quest), the City of Saint Paul, on behalf of said utility companies, hereby waives, releases and terminates the utility easement rights referenced in Ramsey County Document Number 4822952; and be it further

RESOLVED, that with the Certificate of Intended Non-Use, filed voluntarily on behalf of Comcast (Xfinity), the City of Saint Paul, on behalf of said utility company, hereby waives, releases and terminates the utility easement rights over the portion of vacated alley abutting Lot 11 and the North Half of Lot 10, Block 2, Samuel Leech's Addition to St. Paul; also abutting Lots 2, 3 and 4, Block 2, Ewing & Chute's Subdivision of Lots 6 and 7, Block 1, and Lots 4 and 5, Block 2, Leech's Addition to St. Paul, as referenced in Ramsey County Document Number 4822952; and be it further

RESOLVED, that upon passage of this resolution and the City's receipt of a \$300.00 administrative processing fee, the proper City officials are hereby authorized and directed to record a copy of this 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 a copy of the Certificates of Intended Non-Use referenced in this

resolution; and be it finally

RESOLVED, that all other terms and conditions of RES PH 20-123 shall remain in full force and effect and be fully incorporated into this resolution.