



Legislation Details (With Text)

File #: RES PH 11- 1004 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/17/2011

Title: Approving the petition of Tom Church (Title-1) to vacate York Avenue between Hazel Avenue and Algonquin Avenue.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Exhibit A - Map

Date	Ver.	Action By	Action	Result
8/23/2011	1	Mayor's Office	Signed	
8/17/2011	1	City Council	Adopted	Pass

Approving the petition of Tom Church (Title-1) to vacate York Avenue between Hazel Avenue and Algonquin Avenue.

BE IT RESOLVED, that upon the petition of Tom Church ("Petitioner"), as documented in Office of Financial Services Vacation File Number 05-2011, the public property described as:
That part of York Avenue (fka Brand St) as delineated and dedicated in Beaver Lake Heights, according to the recorded plat thereof, Ramsey County, Minnesota, lying between the easterly line of Hazel Avenue and the westerly line of Algonquin Avenue, all in said Beaver Lake Heights plat, and depicted in Exhibit A attached hereto, is hereby vacated and discontinued as public property and, subject to the following conditions, the easements within said public property are hereby released:

1. An easement shall be retained on, over, under and across the northerly 20 feet of the vacated area on behalf of Northern States Power Company, dba Xcel Energy (Gas) for its existing gas distribution facilities. If relocation of the facilities is required by the Petitioner for or arising from the street vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation and shall provide new easements for said relocated facilities.
2. This vacation shall be subject to the terms and conditions of Chapter 130, codified March 1, 1981, of the Saint Paul Legislative Code as amended.
3. The Petitioner, its successors and assigns shall pay \$600.00 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.
4. 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.
5. 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.

None