



Legislation Text

File #: RES PH 11-1082, **Version:** 1

Approving the petition of the City of Saint Paul to vacate and dispose of city park land in the Victoria Park development.

WHEREAS, the City of Saint Paul ("City") owns a triangular parcel of city park land (the "Park Parcel") abutting portions of platted Mercer Way and Madson Street in the Victoria Park development south and east of West Seventh Street and Otto Avenue in Saint Paul, as depicted on Attachment A and described as:

Park, as dedicated in the plat of VICTORIA PARK,
according to the recorded plat thereof, Ramsey County,
Minnesota

; and

WHEREAS, the City of Saint Paul has determined there is no longer a public purpose for owning the Park Parcel, and wishes to vacate its interest in this property; and

WHEREAS, the Housing and Redevelopment Authority of the City of Saint Paul ("HRA") has requested that the City dispose of the Park Parcel and sell it to the HRA for subsequent sale to the Nova Classical Academy; and

WHEREAS, the City recommends the sale of the Park Parcel to the HRA, and the HRA has agreed to pay just compensation as required in Chapter 13.01.1 of the Saint Paul City Charter; and

WHEREAS, the Saint Paul Parks and Recreation Commission supports the disposal of the Park Parcel, as stated in its resolution, Number 11-12, adopted September 14, 2011, a copy of which is attached hereto; now, therefore be it

RESOLVED, that, upon the petition of the City of Saint Paul, as documented in Office of Financial Services File Number 08A-2011, the Park Parcel is hereby vacated and discontinued as public property.

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, and to the following conditions:

1. The HRA, 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, including all requirements for the disposal of city park land.
2. The HRA, its successors and assigns, shall pay \$1,200 to the City as an administrative fee for this vacation, which is due and payable within 60 days of the effective date of this resolution; and shall pay all fees required by the City to comply with its parkland diversion guidelines.
3. The HRA, 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 HRA'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 HRA or any of its agents or employees.

4. Upon the HRA's acceptance and compliance with the terms of this vacation, the proper city officials are hereby authorized and directed to convey the Park Parcel via quitclaim deed to the HRA, and to accept just compensation, as required in Chapter 13.01.1 of the Saint Paul City Charter, in the form of: a) HRA-owned land located at 1057 Marshall Avenue, b) cash to be deposited into the Parkland Replacement Fund and held in reserve for future purchase of park property, or c) a combination of said HRA-owned land and cash.

None