



## Legislation Text

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**File #:** RES 12-174, **Version:** 1

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Authorizing the release of Utility Easements within the Saint Paul Port Authority's Beacon Bluff Development.

WHEREAS, a request has been received by the Saint Paul Port Authority for the release of utility easements within the parcels legally described in Exhibit A attached hereto; and

WHEREAS, the public and private utilities with easements in said parcels have determined that their easement rights, as identified below, may be waived, released and terminated; now, therefore be it

RESOLVED, that with the Certificates of Intended Non-Use, filed voluntarily on behalf of the City of Saint Paul - Public Works, a municipal corporation; the Saint Paul Regional Water Services, a municipal corporation; Comcast, a Pennsylvania corporation; Northern States Power d/b/a Xcel Energy - Gas Division, a public utility; Northern States Power d/b/a Xcel Energy - Electric Division, a public utility; CenturyLink, a Louisiana corporation; and Verizon, a Delaware corporation (MCI Network Services, Inc); and made a part hereof by this reference and filed in the Office of the Financial Services Real Estate Section; the City, for itself and on behalf of said public utilities and corporations, hereby waives, releases and terminates the following utility easement rights:

1. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 814386 and 814387, which relate to the vacation of an alley in Block 2 of E.M. Mackubin's Addition (Parcel 3); and
2. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 935600 and 935601, which relate to the vacation of an alley in Block 1 of E.M. Mackubin's Addition (Parcel 3); and
3. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record in the Office of the County Recorder in and for Ramsey County as Document Nos. 982291 and 982292 and in the Office of the Registrar of Title in and for Ramsey County as Document Nos. 2047454 and 2047455, which relate to the vacation of an alley in Block 2 of E.M. Mackubin's Addition (Parcel 3); and
4. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 1254017 and 1254018, which relate to the vacation of an alley in Block 2 of E.M. Mackubin's Addition (Parcel 3); and
5. The utility easement reserved in favor of Northern States Power Company d/b/a Xcel Energy and easements reserved pursuant to Chapter 130 of the Saint Paul Legislative Code contained in that certain City Council Resolution filed of record as Document Nos. 2533125 and 916308, which relate to the vacation of portions of Reaney Avenue (Parcel 3); and
6. The utility easements reserved pursuant to Ordinance 3394 and right of reverter relating to certain air rights retained by the City contained in that certain City Council Resolution filed of record as Document Nos. 2060003, 2060004, 683355, and 683356, which relate to the vacation of air rights over Reaney Avenue (Parcel 3); and

7. The utility easement reserved in favor of Northern States Power Company d/b/a Xcel Energy and easements reserved pursuant to Chapter 130 of the Saint Paul Legislative Code contained in that certain City Council Resolution filed of record as Document No. 2139292, which relates to the vacation of portions of an alley located within Block 2, E.M. MacKubin's Addition to Saint Paul (Parcel 3); and

8. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 571879 and 571880, which relate to the vacation of portions of Vernon Place and Ross Street (Parcel 4); and

9. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 627383 and 627384, which relate to the vacation of portions of Cypress Street (Parcel 4); and

10. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 466786, 1610139, 466787, and 1610140, which relate to the vacation of portions of Vernon Place (Parcel 4); and

11. The utility easements reserved pursuant to Ordinance 3394 contained in the City Council Resolution dated February 9, 1939, bearing C.F. No. 113840, which relate to the vacation of portions of Vernon Place (Parcel 4); and

12. The utility easements reserved in favor of the Department of Public Works and US West Communications, Inc. and easements reserved pursuant to Chapter 130 of the Saint Paul Legislative Code contained in that certain City Council Resolution filed of record as Document No. 1156470, which relates to the vacation of portions of Russell Street (Parcel 5); and

13. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 0201641 and 0201642, which relate to the vacation of portions of Duchess Street (Parcel 5); and

14. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 291375 and 291376, which relate to the vacation of portions of Duchess Street (Parcel 5); and

15. The utility easements reserved pursuant to Ordinance 3394 contained in that certain City Council Resolution filed of record as Document Nos. 1221302 and 1221303, which relate to the vacation of portions of Cypress Street (Parcel 5); and be it further

RESOLVED, that upon passage of this resolution and the City's receipt of a \$300.00 administrative processing fee said easement rights are released and the proper city officials are hereby authorized and directed to record a copy of said 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.

None