



Legislation Text

File #: RES PH 12-248, **Version:** 1

Approving a parkland diversion request and granting an easement to owners of 2165 Mailand Road.

WHEREAS, Tong P. Yang and Fu Lee (the "Property Owners") own the residential property located at 2165 Mailand Road (the "Mailand Property") in Saint Paul; and

WHEREAS, the Property Owners have requested the diversion of a portion of city parkland located at 2188 Londin Lane (the "Park Property") and adjacent to the Mailand Property for use by the Property Owners as a driveway access to the Mailand Property, as shown on Exhibit A attached hereto; and

WHEREAS, the Property Owners have requested the purchase of a 3,834 square-foot permanent easement (the "Easement") across the Park Property for said driveway access, as shown on Exhibit A attached hereto; and

WHEREAS, the Saint Paul Parks & Recreation Commission supports the Property Owners' request, as stated in its resolution Number 10-02, adopted February 10, 2010 and shown on Exhibit B attached hereto; and

WHEREAS, the City of Saint Paul, Department of Parks and Recreation (the "City") also supports the Property Owners' request, and recommends the granting of said Easement; and

WHEREAS, the Property Owners must pay to the City just compensation for the Easement as determined by an independent appraisal pursuant to Section 13.01.1 of the Saint Paul City Charter; and

WHEREAS, the Property Owners must enter into a Temporary Easement Agreement with the City, as shown on Exhibit C attached hereto, to permit the Property Owners' use of the Easement until the City receives full compensation, after which the City will grant a permanent easement; now, therefore be it

RESOLVED, that the proper city officials are hereby authorized and directed to enter into said Temporary Easement Agreement with the Property Owners, in a form and content substantially as set forth in Exhibit C; and be it further

RESOLVED, that the compensation for the easement be deposited into the Parkland Replacement Fund and held in reserve for future purchase of park property as required by Chapter 13.01.1 of the City Charter, and that any other costs incurred by the City in accordance with the parkland diversion guidelines shall be fully compensated by the Property Owners.

No financial analysis required