



Legislation Text

File #: RES PH 13-324, **Version:** 1

Authorizing license and parkland diversion for Arvig Enterprises within the parkway at Edgumbe Road.

WHEREAS, the City is owner of Parkway property in Saint Paul identified as Edgumbe Road (the "Parkway") and located between West Seventh Street and Lexington Parkway; and

WHEREAS, Arvig Enterprises has installed and is operating and maintaining an underground communications cable across a portion of the Parkway approximately midway between Field Avenue on the north and Sheridan Avenue on the south, as outlined in the attached Exhibit A; and

WHEREAS, Arvig Enterprises must enter into a license agreement with the City of Saint Paul for the operation and maintenance of the communications cable within the parkway area, as provided in the attached Exhibit B, a copy of which is on file in the Office of Financial Services, Real Estate Section, file number PR/86; and

WHEREAS, the placement of the communications cable within the Parkway constitutes a diversion of parkland in accordance with Section 13.01.1 of the City Charter; and

WHEREAS, Arvig Enterprises has requested the diversion of parkland of said property and has agreed to pay just compensation as determined by an independent appraisal pursuant to Section 13.01.1 of the Saint Paul City Charter; and

WHEREAS, the Saint Paul Parks and Recreation Commission recommends diversion of the Parkway, as stated in its Resolution #11-13 adopted October 12, 2011 and as shown in Exhibit C; now, therefore be it

RESOLVED, that the proper city officials are hereby authorized and directed to execute said license agreement with Arvig Enterprises for the use of the Parkway area of Edgumbe Road and to accept just compensation from Arvig enterprises; to deposit the appropriate portion of the license payment into the Parkland Replacement Fund, which is to be held in reserve for future purchase of park property as required in Chapter 13.01.1 of the City Charter; and to be fully compensated by Arvig Enterprises for all fees required by the City to comply with its parkland diversion guidelines.

Financial analysis form not required