



## Legislation Text

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**File #:** RES PH 15-226, **Version:** 1

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Approving the petition of Marcia Moermond to vacate that part of the alley adjacent to Hayden Heights Block 12, Lot 3.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Marcia Moermond ("Petitioner"), as documented in the Office of Financial Services Vacation File Number 03-2015, the public property described as:

*That part of the alley lying south of the westerly extension of the north line of Lot 3, Block 12, Hayden Heights, according to the recorded plat thereof, Ramsey County, Minnesota.*

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 in accordance with Section 130.05(3):

1. An easement will be retained on behalf of Northern States Power, d/b/a Xcel Energy, for existing facilities over, under and across the portion of the platted alley to be vacated.
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, her successors and assigns shall pay \$600.00 to the City of Saint Paul Real Estate section 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, her 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, her 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 her agents or employees.