



Legislation Text

File #: RES PH 15-359, **Version:** 1

Approving the Parkland Diversion Request of Tilsner Carton Co.

WHEREAS, the City of Saint Paul ("City") owns park land known as the Trout Brook Nature Sanctuary (the "Sanctuary") and located generally between Maryland Avenue, Agate Street, Jenks Avenue (extended) and the BNSF Railway tracks, as shown on Attachment A; and

WHEREAS, Tilsner Carton Company, 162 York Avenue East ("Tilsner"), has requested the City's disposal of a 5,700 square-foot area of the Sanctuary that adjoins Tilsner's property and is currently being used by Tilsner for parking of tractor trailers and other vehicles required for the business, as shown on Attachments B1 and B2 (the "Disposal Property"); and

WHEREAS, the City's Parks and Recreation department ("Parks & Recreation"), which manages the Sanctuary, has not used the Disposal Property because it has been encroached upon by Tilsner, is separated by fence and is being used as a parking lot; and

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

WHEREAS, Parks & Recreation has determined that the Disposal Property may be disposed of for this purpose and approved by the Parks Commission, Resolution 11-05 (Exhibit A); and

WHEREAS, the City wishes to convey the Disposal Property to the Housing and Redevelopment Authority of the City of Saint Paul ("HRA") for subsequent conveyance to Tilsner, as provided in the three-party Sale and Purchase Agreement attached hereto as (Exhibit B); now, therefore be it

RESOLVED, that the proper city officials are hereby authorized and directed to dispose of said Disposal Property, by quit claim deed, to the HRA for subsequent conveyance to Tilsner; to execute said Sale and Purchase Agreement in a form and content substantially as set forth in Exhibit B; and to accept from Tilsner: 1) just compensation in the form of cash to 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 2) all fees required by the City to comply with its parkland diversion guidelines.