



Legislation Text

File #: RES PH 16-105, **Version:** 1

Approving the petition of Justin and Amy Iovinella to vacate a portion of Ayd Mill Road adjacent to their property at 1226 Goodrich Avenue.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of the Justin and Amy Iovinella ("Petitioners"), as documented in Office of Financial Services Real Estate Section Vacation File Number 14-2014, the public property described and depicted in Exhibit A (the "Vacation Property") is hereby vacated and discontinued as public property, and all utility easements within the Vacation Property are hereby released in accordance with Section 130.05(3), subject to the following conditions:

1. Petitioners, their successors and assigns shall pay \$600.00 to the City of Saint Paul as an administrative fee for this vacation which is due and payable within 60 days of the effective date of this resolution.
2. Petitioners, their 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.
3. Petitioners, their successors and assigns agrees 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 Petitioners' use of this property, including but not limited to, a claim brought forward because of any act of omission, neglect, or misconduct of said Petitioners 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 Petitioners or any of their agents or employees;

and be it further

RESOLVED, that the proper city officials are hereby authorized and directed to:

1. Convey the Vacation Property by quit claim deed to the Housing and Redevelopment Authority of the City of Saint Paul ("HRA") for subsequent conveyance to Petitioners;
2. Execute a Real Property Sale and Purchase Agreement between the City, HRA and Petitioners, in a form and content substantially as set forth in Exhibit B, a copy of which is on file in the Office of Financial Services Real Estate Section; and
3. Accept from Petitioners just compensation for the Vacation Property in the form of cash for the fair market value amount of \$4,115.00, as established by the Office of Financial Services Real Estate Section, and payment of all other related costs.