



Legislation Text

File #: RES PH 17-93, **Version:** 1

Approving the petition of Robert D. McCollough to vacate the alley in Hoyt's Subdivision of Morrison's Block of Hoyt's Addition (block bounded by Jackson, 9th, 10th and Temperance).

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Robert D. McCollough ("Petitioner"), as documented in Office of Financial Services Vacation File # 03-2017, the following public property described as:

All those portions of the alley as platted in Hoyt's Subdivision of Morrison's Block of Hoyt's Addition to St. Paul that lies westerly of a line 185 feet easterly of and parallel to the east line of Jackson Street as platted.

and depicted in Exhibit "A", is hereby vacated and discontinued as public property, subject to the following conditions, and all utility easements within said public property are hereby released in accordance with Section 130.05(3):

1. An easement shall be retained over, under and across part of the proposed vacation area on behalf of Comcast of St. Paul for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities.
2. An easement shall be retained over, under and across part of the proposed vacation area on behalf of Qwest Corporation d/b/a CenturyLink QC for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities.
3. St. Paul Public Works requests that sewer connections, under Sewer Permit A5734, be removed and cut off if the site is ever improved from its current use, at cost to the affected property owners.
4. The Petitioner, its successors and assigns shall pay \$1,200.00 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.
5. The Petitioner, its 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.
6. The Petitioner, its 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 its agents or employees.