



## Legislation Text

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**File #:** RES 17-1926, **Version:** 1

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### [..Title](#)

Accepting a license agreement between the City of Saint Paul and the BNSF Railway Company for an underground force main on BNSF property.

WHEREAS, on May 15, 2013, the Council of the City of Saint Paul ("City") approved a Final Order (Res PH 13 -104) to authorize acquisition of property rights necessary for the placement of an underground pipeline, as depicted in Exhibit A attached hereto; and

WHEREAS, the City and BNSF have prepared a License Agreement ("License") for the City's use of BNSF's property, attached hereto as Exhibit B; and

WHEREAS, the City has agreed to pay Two Thousand One Hundred Thirty One dollars and 25/100 (\$2,131.25) for said property rights, this being a fair and reasonable value as determined by an appraisal and negotiated and agreed upon between the City and BNSF; and

WHEREAS, the Real Estate Manager has recommended payment for said property rights at the agreed-upon value, plus other considerations as outlined in the License; and

WHEREAS, said License requires indemnification by the City and its contractors for any claims, damages, liabilities, and costs related to the City's use of the BNSF property; and

WHEREAS, the City Council finds that there is a public purpose for the expenditure of money in the form of a promise of indemnification to obtain the right to place the underground pipeline on the BNSF property; now, therefore, be it

RESOLVED, that the City Council hereby authorizes the proper city officials to execute said License, and pay BNSF the agreed upon value, said sum to be charged to Activity Code 40041900-76805-C153F06701028-76010.