



Legislation Text

File #: RES PH 18-78, **Version:** 1

Approving the petition of the Housing and Redevelopment Authority to vacate the City's ownership of a portion of Main Street.

WHEREAS, the City of St. Paul has determined that there is no longer a public purpose for owning the property described and depicted in Exhibit "A"; and

WHEREAS, the Housing and Redevelopment Authority of the City of St. Paul (HRA) petitions the City of St. Paul (City) to release its ownership rights to the property in said Exhibit "A" for the purpose of re-platting and redeveloping the area west of the Xcel Energy Center; and

WHEREAS, the petition of the HRA will help serve the intention of the City to support future development plans in St. Paul; now, therefore

BE IT RESOLVED, that in accordance with Chapter 130 of the Saint Paul Legislative Code and upon the petition of the HRA, as documented in the Office of Financial Services' Vacation File Number 01-2018, the public property described and depicted in Exhibit "A" is hereby vacated; and, subject to the following conditions, the utility easements within said proposed vacated area are hereby released in accordance with Section 130.05(3):

1. An easement shall be retained over, under and across the proposed vacation area on behalf of Comcast 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 the proposed vacation area on behalf of Verizon 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. An easement shall be retained over, under and across the proposed vacation area on behalf of District Energy 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.
4. An easement shall be retained over, under and across the proposed vacation area on behalf of Saint Paul Regional Water Services for existing facilities and is also subject to the Standard Easement Provisions of the Board of Water Commissioners, attached hereto as Exhibit "B".
5. On the behalf of the Department of Public Works of the City of Saint Paul and Qwest Corporation dba CenturyLink QC, the release of utility easement rights shall be subject to and contingent upon the re-plat of the vacated area in the forthcoming Cleveland Circle plat, which will include portions of Seventh Street West and Kellogg Boulevard.
6. The Petitioner, its 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.
7. 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.

8. 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.

; and be it

FURTHER RESOLVED, that the proper City of St. Paul officials are hereby authorized and directed to convey to the HRA, via quitclaim deed, the proposed vacated area as described in Exhibit A.