



## Legislation Text

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**File #:** RES 19-42, **Version:** 1

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Authorizing acceptance of a right-of-way easement from the Saint Paul Port Authority and execution of an Assignment Rider with the Union Pacific Railroad for utility crossings over railroad property.

WHEREAS, in the 1970's the Saint Paul Port Authority ("Port Authority") developed the Southport Terminal Industrial Park that included land through which the proposed Robert Piram Regional Trail will pass, and also included the street known as Barge Channel Road, which was originally constructed by the Port Authority as part of the Southport Terminal development; and

WHEREAS, Barge Channel Road was constructed across railroad property owned by the Chicago, Rock Island and Pacific Railroad Company ("CRIPR"), which required the Port Authority to seek permission for the road crossing and additional crossings of sewer and water lines; and

WHEREAS, in 1972 the Port Authority entered into a Road Crossing Agreement with the CRIPR for the crossing of Barge Channel Road over CRIPR tracks, attached hereto as Exhibit A, and a Water Line Crossing Agreement for the crossing of an eight-inch fresh water line beneath CRIPR tracks, attached hereto as Exhibit B; and also in 1976 a Sanitary Sewer Pipeline Crossing Agreement with the CRIPR for the crossing of sewer and storm water utilities beneath CRIPR tracks, attached hereto as Exhibit C; and

WHEREAS, the Port Authority has conveyed to the City a dedication of easement over Port Authority property for the Barge Channel Road right-of-way ("Barge Channel Road Easement") and related sewer and utility easements and stormwater retention ponds, an executed copy of which is attached hereto as Exhibit D; and

WHEREAS, in connection with said conveyance the Port Authority also authorized the transfer to the City of its rights under said road and utility crossing agreements with the CRIPR, and offered to work with the City and the Union Pacific Railroad Company ("UPRR"), successor to the CRIPR, to transfer rights and permissions under said agreements from the Port Authority to the City; and

WHEREAS, the UPRR has provided for the transfer of said road and utility crossing rights and permissions via the following documents:

- 1) Assignment Rider between UPRR, City and Port Authority for sanitary sewer and surface water crossings, attached hereto as Exhibit E; and
- 2) Assignment Rider between UPRR, Board of Water Commissioners of the City of Saint Paul and Port Authority for 8-inch water pipeline, attached hereto as Exhibit F; now

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Saint Paul do hereby authorize and approve said Barge Channel Road Easement, attached hereto as Exhibit D, and said Assignment Rider for sanitary sewer and surface water crossings, attached hereto as Exhibit E, and be it

FURTHER RESOLVED, that the proper city officials are authorized and directed to take any and all actions necessary to execute said documents and pay any related fees, and to file the aforementioned documents with Ramsey County property records and the UPRR.