Legislation Text

File #: RES PH 19-159, **Version:** 1

Approving the petition of Bremer Bank and Snelling Shields LLC to vacate a portion of the alley in Block 1, Milham Park..

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Bremer Bank, National Association, and Snelling Shields LLC ("Petitioner"), as documented in Office of Financial Services' Vacation File Number 02-2019, the public property described as:

All of the 20 foot wide alley dedicated in Block 1, Milham Park, Ramsey County, Minnesota, lying south of the north line of said Block 1, and northerly of the northwesterly extension of the southerly line of Lot 5, Block 1, Milham Park,

and depicted in Exhibit A is hereby vacated and discontinued as public property and, subject to the following conditions, the 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 the proposed vacated alley on behalf of Qwest Corporation d/b/a CenturyLink QC for existing facilities. If relocation of said facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs for relocation of said facilities.

2. A storm water drainage easement shall be retained over, under and across the proposed vacated alley on behalf of the City of Saint Paul to address proper public storm water run-off.

3. An easement shall be retained over, under and across the proposed vacated alley on behalf of Comcast for existing facilities. If relocation of said facilities is required by the Petitioner for or arising from this vacation, the Petitioner, its successors and assigns, shall assume all costs of relocation of said facilities, including new easements as required.

4. The Petitioner and The Central Baptist Church shall grant an easement to the City of Saint Paul for emergency vehicle ingress/egress purposes within the proposed vacated alley, as provided in Exhibit B attached hereto.

5. The Central Baptist Church shall grant an easement to the City of Saint Paul for vehicular turnaround purposes on church-owned property south of the proposed vacated alley, as provided in Exhibit C attached hereto.

6. 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.

7. Snelling Shields LLC, 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.

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