



Legislation Text

File #: RES PH 20-22, **Version:** 1

Approving the petition of Mihailo Temali and Ben Johnson to vacate a portion of the alley in Block 1, Syndicate No. 1 Addition.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Mihailo Temali and Ben Johnson ("Petitioner"), as documented in Office of Financial Services Vacation File Number 08-2019, the public property described as:

That part of the public alley in Block 1, Syndicate No. 1 Addition, Ramsey County, Minnesota, lying easterly of the southerly extension of the west line of Lot 4, said Block 1;

and depicted in Exhibit A attached hereto, 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. An easement shall be retained over, under and across the proposed vacated alley on behalf of Xcel Energy, Gas & Electric 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.
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 shall grant an easement to the City of Saint Paul for adequate ingress/egress purposes to the satisfaction of the City Saint Paul Department of Public Works.
5. 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.
6. 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.
7. 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.