



Legislation Text

File #: RES 20-1627, **Version:** 1

Approving the release of an easement for slopes, cuts and fill over Lot 48 and the west 5 feet of Lot 49, Hewitt's Outlots 1st Division.

WHEREAS, in 1930, as part of the improvement of Charles Street (aka Charles Avenue), an easement for slopes, cuts and fill, in favor of the City of St. Paul ("City"), was taken on private properties. The improvement project and the taking of easements were approved by Final Order in CF 85135 on May 6, 1930; said Final Order was recorded in Ramsey County as Document Number 802212 on August 4th, 1930; a copy of which is attached hereto; and

WHEREAS, Brad Engelsma, on behalf of Kraus-Anderson Construction and FBS Properties Management, owns or has interest in property located at 2383 University Avenue West (the "Property"), which includes Lot 48 and the west 5 feet of Lot 49, Hewitt's Outlots 1st Division, on which a portion of the above-mentioned easement rights referenced in Document Number 802212 exists; and

WHEREAS, the Owner and/or its assigns have plans to improve the Property and have requested the release of said easements rights encumbering the Property, now, therefore, be it

RESOLVED, that with the Certificate of Intended Non-Use, filed voluntarily on behalf of the City's Department of Public Works, the City, for itself and on behalf of said Department, hereby waives, releases and terminates the easement rights over Lot 48 and the west 5 feet of Lot 49, Hewitt's Outlots 1st Division, as referenced in Ramsey County Document Number 802212; and be it further

RESOLVED, that upon passage of this resolution and the City's receipt of a \$300.00 administrative processing fee, the proper City officials are hereby authorized and directed to record a copy of this resolution in the office of the Ramsey County Recorder and/or Registrar of Titles, and that the Office of Financial Services Real Estate Section shall maintain on file a copy of the Certificates of Intended Non-Use referenced in this resolution; and be it finally

RESOLVED, that all other terms and conditions of Ramsey County Document Number 802212 shall remain in full force and effect and be fully incorporated into this resolution.