



Legislation Text

File #: RES PH 21-139, **Version:** 1

Approving the petition of Karl Ebert to vacate portions of Gordon Avenue and Blake Avenue abutting Gordon Square and Block 39 within the St. Anthony Park plat.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Karl Ebert ("Petitioner"), as documented in Office of Financial Services' Vacation File Number 01-2021, the public property described 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 for right-of-way purposes shall be retained by the City of Saint Paul over, under and across the property described in Exhibit "B" and Exhibit "C."
2. An easement shall be retained over, under and across the portion of Blake Avenue to be vacated on behalf of Qwest Corporation d/b/a CenturyLink QC for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, his successors and assigns, shall assume all costs of relocation of said facilities.
3. An easement shall be retained over, under and across the portion of Blake Avenue to be vacated on behalf of Xcel Energy for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, his successors and assigns, shall assume all costs of relocation of said facilities.
4. A 15-foot wide easement shall be retained over, under and across the vacated streets where St. Paul Regional Water Services has existing facilities located. If relocation of the facilities is required by the Petitioner for or arising from this vacation, the Petitioner, his successors and assigns, shall assume all costs of relocation of said facilities.
5. The Petitioner, his 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.
6. The Petitioner, his 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, his 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 his agents or employees.

