



Legislation Text

File #: RES 21-1089, **Version:** 1

Authorizing the City to execute a fourth amendment to a conservation easement held by the State of Minnesota within the Bruce Vento Nature Sanctuary in order to provide for the City's repurchase of a 3.57-acre portion of the conservation easement to permit construction of the proposed Wakan Tipi Center within the sanctuary property

WHEREAS, under an executed development agreement between the City of Saint Paul ("City") and the Lower Phalen Creek Project ("LPCP"), the City's Department of Parks and Recreation is cooperating with LPCP on the design and construction of a proposed Wakan Tipi Center within the City-owned Bruce Vento Nature Sanctuary ("BVNS") property; and

WHEREAS, LPCP and the City are proposing to construct the Wakan Tipi Center within a 3.57-acre portion of the BVNS (the "Protected Property"), which area is encumbered with a conservation easement granted by the City to the State of Minnesota ("State") in 2002 and amended in 2007, 2015 and 2020 (the "Conservation Easement"); and

WHEREAS, the Conservation Easement prohibits the construction of buildings within its boundaries, therefore prohibiting the development of the Wakan Tipi Center within the Protected Property; and

WHEREAS, in order to allow said development to proceed, the State has agreed to release its rights to the Conservation Easement within the Protected Property through the City's repurchase of said rights, and to further amend the Conservation Easement to authorize said release; now, therefore, be it

RESOLVED, that the City Council hereby authorizes the appropriate city officials to execute and record with county property records a "Fourth Amendment to Conservation Easement" with the State in substantially the form attached hereto as Exhibit A, and to support the efforts of the LPCP, in cooperation with the City's Department of Parks and Recreation, to begin construction of the Wakan Tipi Center within the Protected Property as soon as is practical following execution of the Conservation Easement by the City and State.