



## Legislation Text

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**File #:** RES PH 11-934, **Version:** 1

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Approving the petition of Project for Pride in Living, Inc. to vacate part of the alley as donated and dedicated in Block 4, Rankin's Addition, northeasterly of Springfield Street and southerly of West 7<sup>th</sup> Street.

BE IT RESOLVED, that upon the petition of Project for Pride in Living, Inc. ("Petitioner"), as documented in Office of Financial Services Vacation File Number 01-2011, the public property described as:

That part of the alley as donated and dedicated in Block 4, Rankin's Addition according to the recorded plat thereof situate in Ramsey County, Minnesota, which lies northeasterly of Springfield Street and which lies southwesterly of the southeasterly extension of the northeasterly line of Lot 5, said Block 4,

and depicted in Exhibit A attached hereto is hereby vacated and discontinued as public property and, subject to the following conditions, the easements within said public property are hereby released:

1. An easement shall be retained over, under and across the proposed vacation area on behalf of Qwest Communications, a Delaware corporation, for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the alley vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities into the dedicated easement area described below.
2. An easement shall be retained over, under and across the proposed vacation area on behalf of Northern States Power Company d/b/a Xcel Energy - Electric Division for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the alley vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities into the dedicated easement area described below.
3. An easement shall be retained over, under and across the proposed vacation area on behalf Comcast, a Pennsylvania Corporation, for existing facilities. If relocation of the facilities is required by the Petitioner for or arising from the alley vacation, the Petitioner, its successors or assigns, shall assume all costs of relocation of said facilities into the dedicated easement area described below.
4. The Petitioner, its successors and assigns, shall dedicate to the City by recordable document a permanent right-of-way easement, attached hereto as Exhibit B, and described as:

The Northeasterly 19.44 feet of Lot 16,  
Block 4, Rankin's Addition, Ramsey County, Minnesota

5. This vacation shall be subject to the terms and conditions of Chapter 130, codified March 1, 1981, of the Saint Paul Legislative Code as amended.
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. 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.
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.

None