

**RESOLUTION
CITY OF SAINT PAUL, MINNESOTA**

Presented by _____

1 **BE IT RESOLVED**, that, upon the petition of Rose and Michael Dorer (“Petitioners”) as
2 documented in Office of Financial Services Vacation File Number 03-2009, the public property
3 described in the attached Exhibit A is hereby vacated and discontinued as public property and, subject
4 to the following conditions, the easements within said public property are hereby released:
5

- 6 1. Any future excavation within the vacated area, including removal and/or replacement of the
7 garage and retaining walls, shall be reviewed and approved in advance by the City of Saint
8 Paul, Department of Public Works in order to determine impacts on the adjacent Doswell
9 Avenue right-of-way. If any undermining of said right-of-way occurs due to improvements or
10 modifications made by the petitioners within the vacated area, the petitioners, their successors
11 and assigns, shall be responsible for all costs and reparations that may be necessary to correct
12 such undermining.
13
- 14 2. This vacation shall be subject to the terms and conditions of Chapter 130, codified March 1,
15 1981, of the Saint Paul Legislative Code as amended.
16
- 17 3. The petitioners, their successors and assigns shall pay \$600.00 to the City of Saint Paul as an
18 administrative fee for this vacation which is due and payable within 60 days of the effective
19 date of this resolution.
20
- 21 4. The petitioners, their successors and assigns shall, within 60 days of the effective date of this
22 resolution, file with the Office of Financial Services-Real Estate Section, an acceptance in
23 writing of the conditions of this resolution and shall, within the period specified in the terms
24 and conditions of this resolution, comply in all respects with these terms and conditions.
25

26 5. The petitioners, their successors and assigns agree to indemnify, defend and save harmless the
 27 City of Saint Paul, its officers and employees from all suits, actions or claims of any character
 28 brought as a result of injuries or damages received or sustained by any person, persons or
 29 property on account of this vacation, or the petitioners' use of this property, including but not
 30 limited to, a claim brought because of any act of omission, neglect, or misconduct of said
 31 petitioners or because of any claims or liability arising from any violation of any law or
 32 regulation made in accordance with the law, whether by the petitioners or any of their agents
 33 or employees.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____

Requested by:

 Office of Financial Services

By: _____

Approved by the Office of Financial Services

By: _____ N/A

Approved by City Attorney

By: _____

Approved by Mayor for Submission to Council

By: _____

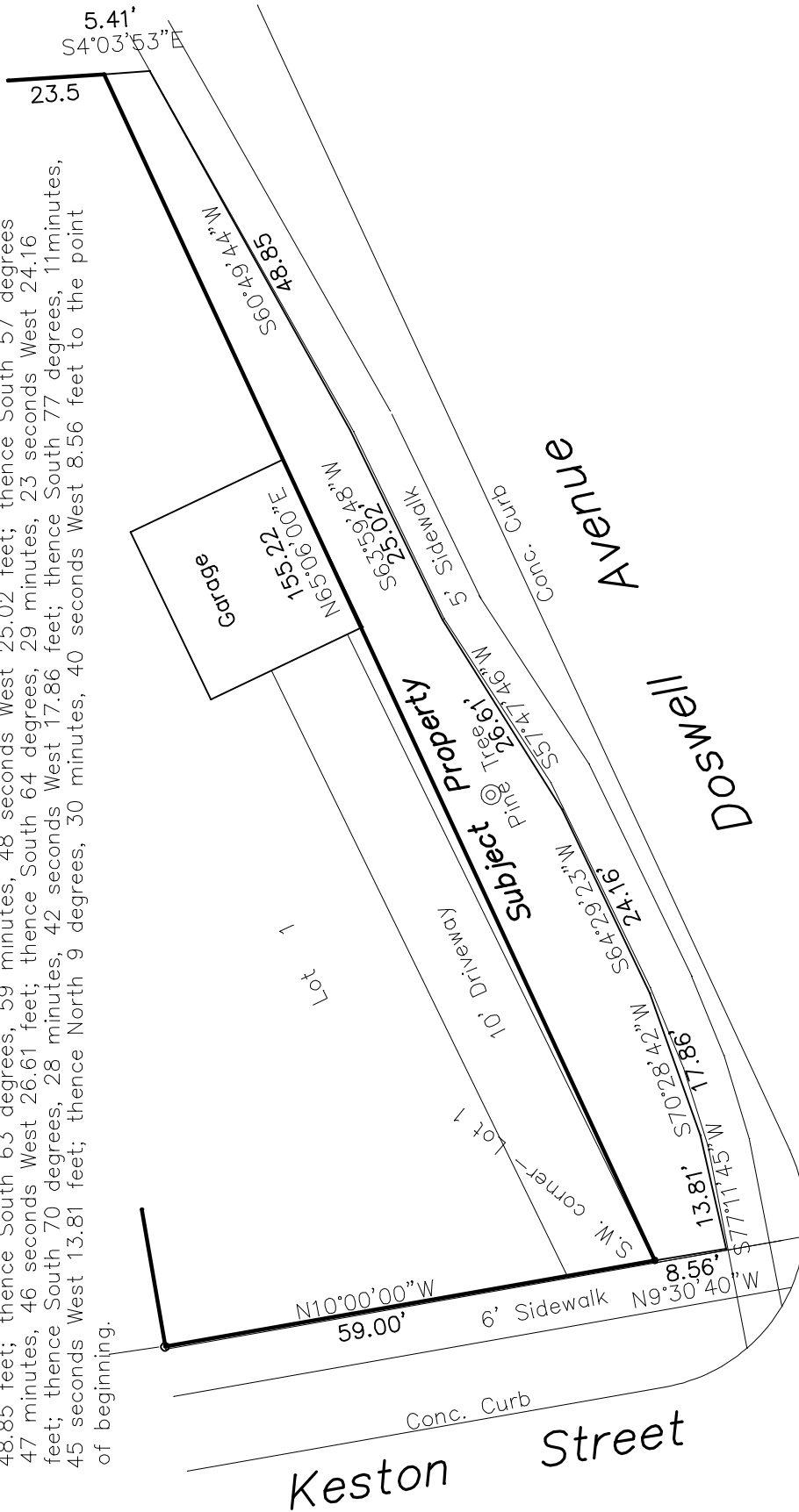
Site Plan

Of: Retaining Wall area Location
 For: Rose & Mike Dorer— 1358 Keston Street, St. Paul Mn.
 Lot 1, Levine's Rear. Ramsey County, Minnesota.

Subject Property Description: That part of Doswell Avenue lying adjacent said Lot 1, Levine's Rearangement described as beginning at the southwest corner of said Lot 1; thence North 65 degrees, 06 minutes East, assumed bearing along the south line thereof 155.22 feet to the southeast corner of said Lot 1; thence South 4 degrees, 03 minutes, 53 seconds East 5.41 feet; thence South 60 degrees, 49 minutes, 44 seconds West 48.85 feet; thence South 63 degrees, 59 minutes, 48 seconds West 25.02 feet; thence South 57 degrees 47 minutes, 46 seconds West 26.61 feet; thence South 64 degrees, 29 minutes, 23 seconds West 24.16 feet; thence South 70 degrees, 28 minutes, 42 seconds West 17.86 feet; thence South 77 degrees, 11 minutes, 45 seconds West 13.81 feet; thence North 9 degrees, 30 minutes, 40 seconds West 8.56 feet to the point of beginning.



Exhibit A



Earth Science Assoc.
 37445 Grand Avenue
 North Branch Mn.55056
 651-674-6210

SCALE: 1 inch = 20 feet Denotes Iron Job No.: 106-310

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above describe land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Dated this ___ day of ___ 2010 By: _____
 Mathew T. Kytönen— Minn. Reg. No. 18213

Bearings shown are on an assumed datum.