

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: January 4, 2021
Item No.: 9.k

Department Approval



City Manager Approval



Item Description: Approve St. Rose of Lima Drainage & Utility Easement

BACKGROUND

On November 9, 2020, the Roseville City Council approved a cooperative agreement with Ramsey-Washington Metro Watershed District for multiple drainage improvements to reduce flooding near St Rose of Lima located at 2048 Hamline Avenue. The improvements consist of two projects. The first project will be designed and paid for by RWMWD to reconstruct and reduce the amount of impervious surface on the existing site by modifying the parking lot. The second improvement, which will be designed and paid for by the City of Roseville, consists of underground storage chambers that will be constructed at the south end of the parking lot. Both projects will help reduce flooding which occurs on Dellwood Avenue and Skillman Avenue.

In order to construct the City’s portion of the underground storage chamber, an additional drainage easement is required. The City attorney worked with St Rose Of Lima to develop a drainage and utility easement as shown in Attachment A. There is no cost to the City for the agreement. The church has already signed the agreement.

The plan is to bid the project in February with construction beginning in the summer of 2021.

POLICY OBJECTIVE

The goals of the City’s Comprehensive Surface Water Management Plan are to protect the integrity of storm water conveyance channels, reduce nutrient loading and improve water quality to lakes and wetlands. City policy is to cooperate with other agencies for mutual benefit, whenever possible.

FINANCIAL IMPACTS

There is no financial cost to acquiring the easement to the City of Roseville. The City’s cost of the improvements is estimated to be \$372,500.00 which is included in the 2021 Storm Sewer CIP budget.

STAFF RECOMMENDATION

Approve drainage and utility easement at St Rose of Lima.

REQUESTED COUNCIL ACTION

Approve drainage and utility easement at St Rose of Lima.

Prepared by: Jesse Freihammer, City Engineer/Assistant Public Works Director
Attachments: A: Cross Easement Agreement
B: Location Map

DRAINAGE AND UTILITY EASEMENT

THIS DRAINAGE AND UTILITY EASEMENT is granted as of this _____ day of _____, 20____, by The Church of Saint Rose of Lima of Rosetown, Minnesota, a Minnesota corporation a/k/a The Church of St. Rose of Lima, a Minnesota religious corporation (“Grantor”), to the City of Roseville, a Minnesota municipal corporation (“City”).

WITNESSETH:

That said Grantor, in consideration of One and no/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey unto the City, and its successors and assigns, a permanent drainage and utility easement on, over, across and through a portion of the following described real property located in Ramsey County, Minnesota, to-wit:

See attached **Exhibit A** (“Grantor’s Property”).

Said easement being that part of the above described parcel which is legally described as follows:

See attached **Exhibit B** (“Easement Area”).

The grant of the foregoing easement includes the right of the City, and its contractors, agents, employees, and successors and assigns, to enter upon and use the Easement Area to

construct, reconstruct, inspect, operate, use, maintain, repair and pave utilities and drainage improvements and appurtenances, on, over, across and through the Easement Area; to grade, level, fill and drain the Easement Area; to excavate culverts, cuts, slopes and ditches within the Easement Area; to remove and import soils from and into the Easement Area; to remove trees, brush, undergrowth and other obstructions from the Easement Area; and to do all other acts and things which are reasonably necessary for or incidental to the enjoyment of the easement rights granted herein.

The foregoing easement shall be binding upon the Grantor and its successors and assigns, shall inure to the benefit of the City and its successors and assigns, and shall run with the land.

The Grantor, for itself and its successors and assigns, covenants with the City, and its successors and assigns, that Grantor is the owner of the Easement Area described herein and has good right to grant and convey the easement given herein to the City.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, to the City, its successors and assigns, forever.

(Signatures Follow)

IN TESTIMONY WHEREOF, the Grantor has caused this easement to be executed as of the _____ day of _____, 20__.

GRANTOR:

The Church of Saint Rose of Lima of Rosetown, Minnesota, a Minnesota corporation

By: _____

Its: _____

By: _____

Its: _____

STATE OF MINNESOTA)

) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____, and by _____, the _____ of The Church of Saint Rose of Lima of Rosetown, Minnesota, a Minnesota corporation, on behalf of the corporation.

Notary Public

THIS INSTRUMENT WAS DRAFTED BY:
Erickson, Bell, Beckman & Quinn, P.A.
1700 West Highway 36
Suite 110
Roseville, MN 55113
651-223-4999

EXHIBIT A

Grantor's Property Legal Description

The following real property located in Ramsey County, Minnesota:

Parcel 1: Block Six (6) and that part of Block Seven (7), lying North of a line drawn parallel to North line of said Block Seven (7), and distant 35.44 feet Southerly therefrom, all in Midway Hills Re-arrangement of Como Garden Lots, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for said Ramsey County.

Parcel 2: All that part of Lots One (1) to Fifteen (15), Block Seven (7), Midway Hills Rearrangement of Como Garden Lots, Ramsey County, Minnesota, lying South of a line drawn parallel to the North line of said Block Seven (7), and distant 35.44 feet Southerly therefrom, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County, Minnesota.

Parcel 3: Lots Sixteen (16), Seventeen (17) and Eighteen (18), Block Seven (7), Midway Hills Re-arrangement of Como Garden Lots, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said Ramsey County.

Parcel 4: Lots Nineteen (19) and Twenty (20), Block Seven (7), Midway Hills Rearrangement of Como Garden Lots, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said Ramsey County, Minnesota.

Together with that part of the vacated right-of-way for Barnard Avenue accruing to said real property.

Abstract Property

EXHIBIT B

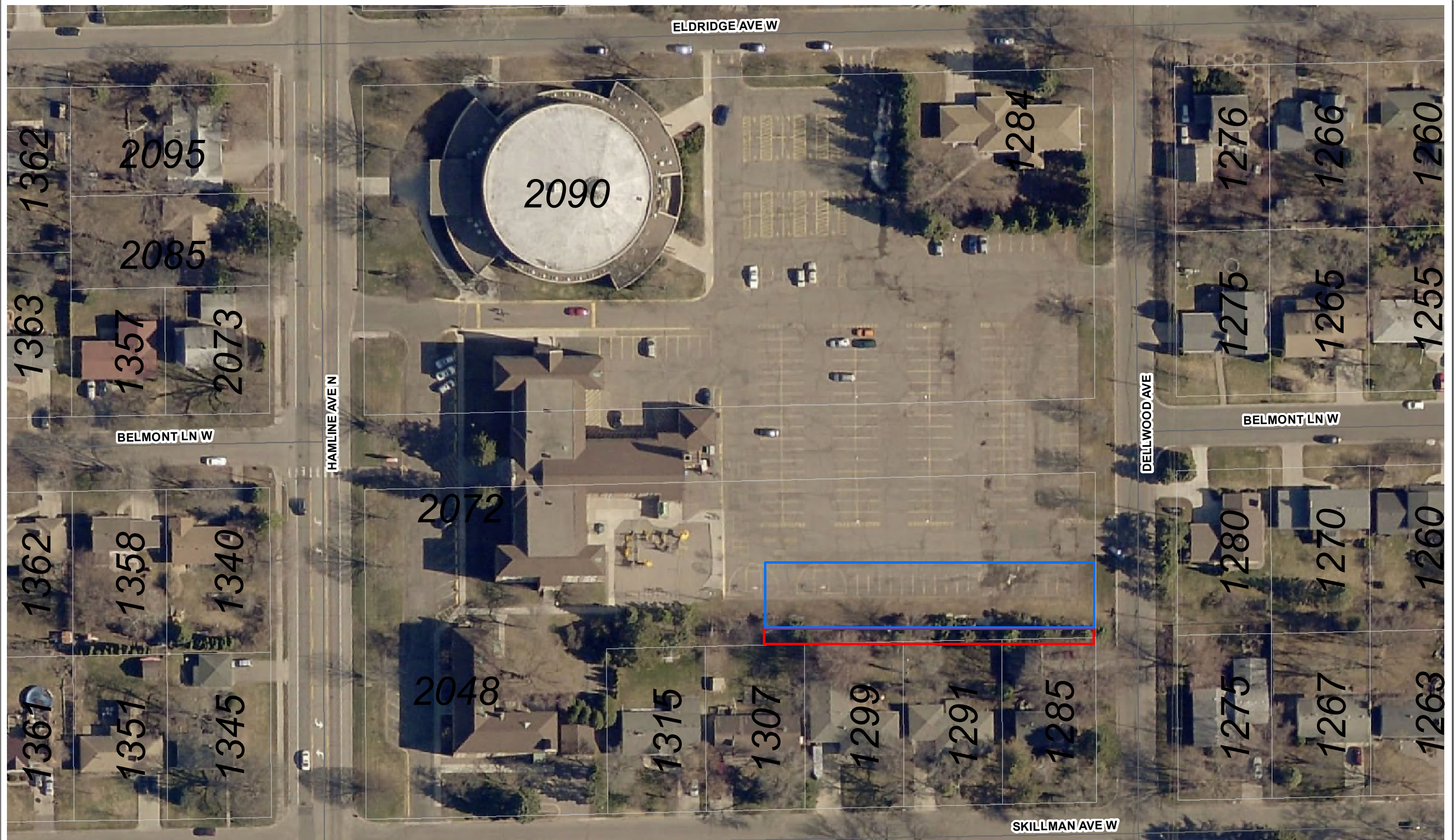
Easement Area Legal Description

An easement for storm sewer, utility, and drainage purposes over, under, and across those parts of Lots 1 through 8, inclusive, of Block 7, Midway Hills Rearrangement of Como Garden Lots, which are more particularly described as follows:

The northerly 65.00 feet of the southerly 80.00 feet of said Lots 1 through 7, inclusive,
AND The southerly 15.00 feet of that part of said Lot 7 which lies westerly of the easterly 20.00 feet of said Lot 7, AND ALSO the southerly 80.00 feet of the easterly 16.00 feet of said Lot 8,

All in Ramsey County, Minnesota

(Abstract Property)



**St. Rose of Lima Catholic Church
Drainage & Utility Easements**

Prepared by:
Engineering Department
December 28, 2020

- Proposed Drainage & Utility Easement
- Existing Drainage & Utility Easement

Data Sources and Contacts:
 * Ramsey County GIS Base Map (11/2/15)
 * City of Roseville Engineering Department
 For further information regarding the contents of this map contact
 City of Roseville, Engineering Department,
 2660 Civic Center Drive, Roseville MN

DISCLAIMER:
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found, please contact 651-792-7075. The preceding disclaimer is provided pursuant to Minnesota Statutes § 466.03, Subd. 21, (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



mapdoc: St Rose of Lima Easements.mxd
 map: St Rose of Lima Easements.pdf

