

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0119R

RESOLUTION AUTHORIZING SECOND AMENDMENT TO SKYWALK AGREEMENT WITH IRET PROPERTIES PERTAINING TO THE LIVINGSTON'S BUILDING.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into a second amendment to that certain skywalk agreement bearing City Contract No. 15462, a copy of which amendment is on file in the office of the city clerk as Public Document No. \_\_\_\_\_,with IRET Properties, modifying the description of the Skywalk area on the second floor of Livingston's Building.

Approved:

Approved for presentation to council:

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Chief Administrative Officer

Approved as to form:

Approved:

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Auditor

STATEMENT OF PURPOSE: This resolution authorizes a second amendment to the Skywalk agreement pertaining to the Livingston's Building to recognize the vacation of certain small areas on the second floor of the building not needed for Skywalk system usage.

When the Skywalk was originally designed and constructed through the old Minnesota National Bank Building, then occupied by Livingston's mens clothing store, a relatively large area at the front of the building was encompassed for skywalk use. The design on the north side (Superior Street side) of the Skywalk was dictated by the need to route Skywalk traffic around the elevator and stair tower in the northeast side of the (now) Wells Fargo property and a stairway in the southwest corner of Livingston's, but the south side of the Skywalk design was dictated by the needs of a building tenant who no longer occupies the space.

Therefore the new owner has requested that certain of the space, shown in the new attachments to the agreement, be vacated and the agreement be modified so that the space in question is no longer governed by the terms of the Skywalk agreement. The planning commission and the council had approved the vacation of the space some time ago, determining that there was no need to retain this space for Skywalk use, but the agreement was never modified.

This resolution would approve the Skywalk agreement modification and complete the process.