

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO SAUTER AND SONS INC. FOR OPEN AND OUTSIDE STORAGE ON THE PROPERTY LOCATED AT 14191 EBONY ST NW, BASED ON FINDINGS OF FACT #\_\_\_\_, AND DECLARING TERMS OF SAME.**

**WHEREAS**, Sauter and Sons, Inc. (the "Permittee") has properly applied to the City of Ramsey (the "City") for a Conditional Use Permit (the "Permit") for open and outside storage as a principal use on the property generally known as 14191 Ebony St NW and legally described as follows:

Lot 1, Block 1, Basalt Office Park 2<sup>nd</sup> Addition, Anoka County, Minnesota

(the "Subject Property"); and

**WHEREAS**, The Planning Commission met on May 3, 2012, conducted a public hearing and recommended City Council approval of the request.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

A conditional use permit for open and outside storage as a principal use on the **Subject Property** is hereby granted to the **Permittee**.

1. This **Permit** shall remain in effect so long as the conditions imposed herein are complied with.
2. The area and height of the stockpiles shall not exceed those dimensions identified on Exhibit 1, which is hereby incorporated by reference. Any expansion on the **Subject Property**, including buildings and/or additional stockpiles, will require an amendment to this **Permit**.
3. The **Permittee** shall be responsible for erosion and dust control related to the stockpiled material.
4. The **Permittee** shall install a berm along the western property boundary to provide additional screening of the site.
5. The **Permittee** shall be responsible for developing a drainage and erosion control plan subject to review and approval of the **City** to ensure that the regional stormwater pond and storm sewer system are not negatively impacted.
6. The **Permittee** will be responsible for sweeping the streets in the area of the proposed use, if necessary, to remove any dust and debris that should escape the **Subject Property**.

**RESOLUTION #12-05-\_\_\_\_**

7. If site operations cease, this **Permit** becomes null and void and all stockpiled materials on the **Subject Property** shall be removed by the **Permittee** within thirty (30) days of the date of termination of the **Permit**.
8. The **City** may initiate action to revoke the **Permit** in accordance with procedures established in the Ramsey City Code.
9. The failure of the **City** at any time to require the performance of the **Permittee** of any provisions hereof, shall in no way effect the right of the **City** thereafter to enforce the same. Nor shall waiver by the **City** of any breach of any provisions hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself.
10. If any provision of this **Permit** shall be declared void or unenforceable, the other provisions shall not be affected, but shall remain in full force and effect.
11. The City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
12. The **Permittee** shall be responsible for all **City** costs incurred in administering and enforcing this **Permit**.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the \_\_\_\_ day of \_\_\_\_\_, 2012.

Sauter and Sons, Inc., hereby acknowledge receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will cause compliance with the terms of this permit.

SAUTER AND SONS, INC.

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF ANOKA )

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by \_\_\_\_\_, the \_\_\_\_\_ of Sauter and Sons, Inc., a Domestic Corporation under the laws of the State of Minnesota, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

T & G Land, Inc. hereby acknowledge receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will cause compliance with the terms of this permit.

T & G Land, Inc.

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF ANOKA )

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by \_\_\_\_\_, the \_\_\_\_\_ of T & G Land, Inc., a Domestic Corporation under the laws of the State of Minnesota, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

CITY OF RAMSEY:

ATTEST:

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF ANOKA )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2012, before me a Notary Public personally appeared Bob Ramsey and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the

municipal corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said municipal corporation, and the said instrument was signed and sealed on behalf of said municipal corporation by authority of its City Council and said Bob Ramsey and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said municipal corporation.

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Notary Public

This document drafted by:  
The City of Ramsey  
7550 Sunwood Dr NW  
Ramsey, MN 55303

This document reviewed by:  
Randall and Goodrich  
2140 Fourth Avenue  
Anoka, MN 55303