

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

**RESOLUTION #15-06-150**

**A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT FOR A PROPOSED DECK TO PARTIALLY ENCROACH WITHIN A DRAINAGE AND UTILITY EASEMENT AT 7516 163<sup>RD</sup> AVE NW AND DECLARING TERMS OF SAME.**

**WHEREAS**, Mark Sutton, hereinafter referred to as the “Applicant”, has applied for an Encroachment Agreement for a proposed deck (the “Deck”) that would partially encroach upon a drainage and utility easement (the “Easement”) on the property generally known as 7516 163<sup>rd</sup> Ave NW, Ramsey, Minnesota and legally described as follows:

Lot 19, Block 2, Sweetbay Ridge, according to the recorded plat thereof, Anoka County, Minnesota.

(the “Subject Property”); and

**WHEREAS**, the purpose of the Easement is to encumber a wetland on a portion of the Subject Property; and

**WHEREAS**, the proposed Deck would encroach approximately eight (8) feet into the Easement; and

**WHEREAS**, the City’s Engineering Division has determined that the Easement can still function with if the Deck were constructed as proposed; and

**WHEREAS**, the Applicant must obtain and provide the City a copy of a No-Loss Determination or similar approval from the Lower Rum River Water Management Organization (LRRWMO) prior to issuance of a building permit for the Deck; and

**WHEREAS**, the City Council reviewed the request on June 9, 2015.

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

1. That, contingent upon the Applicant entering into an Encroachment Agreement with the City, the Applicant may install the Deck in accordance with the terms and conditions contained within the Encroachment Agreement.

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 9<sup>th</sup> day of June, 2015.

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Mayor

**ATTEST:**

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City Clerk