

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #15-11-288

RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT FOR AN EXISTING DRIVEWAY EXTENSION PARTIALLY LOCATED IN A DRAINAGE AND UTILITY EASEMENT AT 5581 148TH LANE NW AND DECLARING TERMS OF SAME

WHEREAS, Douglas F. and Vicky A. Foyt, hereinafter referred to as the “Applicant,” have requested an Encroachment Agreement for an existing driveway extension (the “Extension”) that partially encroaches upon a drainage and utility easement (the “Easement”) on the property generally known as 5581 148th Lane NW and legally described as follows:

Lot 4, Block 1, Ramsey Commons 2nd Addition, Anoka County, Minnesota

(the “Subject Property”).

WHEREAS, the Ramsey Planning Commission, on November 12, 2015, approved a Variance to the setback requirement for the Extension contingent upon the surface of the Extension being upgraded to comply with City Code and upon executing an Encroachment Agreement with the City; and

WHEREAS, the Ramsey Engineering Department approves of the encroachment into the Easement so long as the Applicant maintains both positive drainage on the Subject Property and existing grades at the property line; and

WHEREAS, City Council reviewed the request on November 24, 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 continue to use and maintain the Extension 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 adopted by the Ramsey City Council this the 24th day of November, 2015.

