

Easement Encroachment Agreement

This Easement Encroachment Agreement (“Encroachment Agreement”) is made this 24th day of September, 2019, by and between Ramsey Station Apartments, LLC, the property owners (hereinafter referred to as the “Owner”), and the City of Ramsey, a Minnesota municipal corporation (hereinafter referred to as the “City”), to provide for the terms of allowing the encroachment of a trash enclosure into the drainage and utility easement on Lot 1, Block 1, Greenway Terrace, Anoka County, Minnesota (the “Property”, address “7562 146th Avenue NW, Ramsey, MN 55303”), a depiction of which is attached hereto and incorporated herein as Exhibit A.

WHEREAS, Owner is the fee owner of the property; and

WHEREAS, Owner has obtained approval from the City to keep a trash enclosure which was constructed within an existing drainage and utility easement on the north side of the parcel; and

WHEREAS, the conditions for the City permitting the encroachment include this encroachment agreement specifying the responsibilities of each party.

NOW THEREFORE IT IS MUTUALLY AGREED by and between the parties as follows:

1. The trash enclosure was constructed a distance of two feet seven inches into the drainage and utility easement.
2. The City retains all rights for use of the drainage and utility easement.
3. The Owner waives the right to claim damages to the trash enclosure in the event it is damaged by the City while the City is performing maintenance or operating within in the easement. All repair, removal and/or replacement costs will be the Owners responsibility.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

Property Owners

City of Ramsey, a Minnesota municipal corporation

By: _____
Its _____

By: _____
Its Mayor

By: _____
Its City Administrator

