

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

**RESOLUTION #21-120**

**RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT FOR AN ABOVE GROUND SWIMMING POOL AND DETACHED ACCESSORY BUILDING IN A DRAINAGE AND UTILITY EASEMENT ON THE PROPERTY GENERALLY KNOWN AS 5410 149<sup>TH</sup> LANE NW AND DECLARING TERMS OF SAME**

**WHEREAS**, Jake and Kathrine LaFlair, hereinafter referred to as the “Applicant,” have requested an Easement Encroachment Agreement to install a sixteen foot (16’) diameter above ground swimming pool (the “Pool”) and maintain an existing eight foot by twelve foot (8’ x 12’) shed (the “Shed”) within a drainage and utility easement (the “Easement”) on the property legally described as follows:

Lot 3, Block 1 Ramsey Meadows 4<sup>th</sup> Addition

(the “Subject Property”).

**WHEREAS**, the Applicant applied for a Building Permit for the Pool on April 19, 2021 and the proposed location was within the Easement on the Subject Property; and

**WHEREAS**, during review of the Building Permit application, it was discovered that there is an existing, detached accessory building located within Easement already; and

**WHEREAS**, the Applicant just purchased the Subject Property within the past year and, based on aerial images, the Shed has been in place since at least 2021.

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

1. That the Applicant can install the Pool and continue to maintain the Shed within the Easement contingent upon:
  - a) The Applicant entering into an Easement Encroachment Agreement with the City and recording said agreement against the Subject Property; and
  - b) Review and approval of the Easement Encroachment Agreement by the City Engineer to ensure the Easement can still function as intended.

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 11<sup>th</sup> day of May, 2021.

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Mayor

**ATTEST:**

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City Clerk

This document drafted by:  
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