

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

RESOLUTION #21-181

**A RESOLUTION APPROVING MAINTENANCE AGREEMENT
AND DEVELOPMENT AGREEMENT FOR O'REILLY AUTO PARTS
AND JAVA PROPERTIES, LLC**

RECITALS

1. Java Properties, LLC hereinafter referred to as the "Permittee" has received approval for Site Plan Approval, a Conditional Use Permit for parking, and final plat approval for an auto parts store on the property legally described as follows:

Outlot GG, Ramsey Town Center Addition, Lying Easterly of Ramsey Town Center 13th Addition and Lying Westerly and Southerly of Casey's Addition, Anoka County, Minnesota

Or upon platting:

Lot 1, Block 1, Java Auto Parts, Anoka County, Minnesota

("Subject Property")

2. That the Applicant is purchasing the Subject Property from the City of Ramsey.
3. That the City Council approved the project contingent upon the Applicant entering into a Development Agreement.
4. That the Applicant has proposed a wooden fence with architectural stone façade along Sunwood Drive to meet the requirements of the architectural wall per the COR Design Framework, and the City Council has requested a maintenance agreement, to be recorded against the property, for said wall, outlining responsibilities for ongoing maintenance since it is a deviation from typical standards.
5. That the City Council reviewed and approved the agreements on June 22, 2021.

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

That the Ramsey City Council hereby grants approval of the Maintenance Agreement and Development Agreement (the "Agreements") for Java Properties, LLC contingent upon the following conditions:

CONDITIONS

1. Final legal form approved by the City Attorney.
2. Compliance with Staff comments as noted in ProjectDox.
3. That the Applicant executes the purchase agreement with the City for the Subject Property.
4. That the Permittee shall be responsible for all City costs incurred in administering and enforcing these Agreements.
5. That both Agreements shall be recorded against the Subject Property at cost of Applicant.

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 22 day of June, 2021.

