

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

**RESOLUTION #21-183**

**RESOLUTION APPROVING AN EASEMENT ENCROACHMENT AGREEMENT FOR AN ATTACHED ACCESSORY STRUCTURE IN A DRAINAGE AND UTILITY EASEMENT AT 16206 SAPPHIRE STREET NW**

**WHEREAS**, William Cowette III, hereinafter referred to as the “Applicant,” have requested an Easement Encroachment Agreement to maintain an existing thirteen foot by thirty-foot (13’ x 30’) Deck (the “Deck”) within a drainage and utility easement (the “Easement”) on the property legally described as follows:

Lot 14, Block 2 Sweetbay Ridge

(the “Subject Property”).

**WHEREAS**, during review of an open code enforcement case, it was discovered that there is an existing, detached accessory structure located within the Easement; and

**WHEREAS**, the Applicant applied for a deck and was denied in August 2017; and

**WHEREAS**, the Deck has been placed without a permit since ordinance adopted requiring building permit for accessory structures; and

**WHEREAS**, the principle structure building plans did include a future option for a deck out of the easement; and

**WHEREAS**, the Applicant has a unique property with a large Drainage and Utility Easement; and

**WHEREAS**, the Applicant installed the deck on the property without a building permit.

**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 continue to maintain the Deck 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.
- 2) That the Applicant shall not further encroach on the Drainage and Utility Easement without written consent from the City.

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 10<sup>th</sup> day of August, 2021.

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Mayor

**ATTEST:**

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City Clerk

This document drafted by:  
City of Ramsey  
7550 Sunwood Dr NW  
Ramsey, MN 55303