

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

RESOLUTION #21-227

RESOLUTION APPROVING AN EASEMENT ENCROACHMENT AGREEMENT FOR A DETACHED ACCESSORY STRUCTURE IN A DRAINAGE AND UTILITY EASEMENT AT 7474 163RD AVENUE NW

WHEREAS, Manuel Cuevas, hereinafter referred to as the “Applicant,” has requested an Easement Encroachment Agreement to maintain an existing ten foot by twelve (10’ x 12’) detached accessory structure (the “Structure”) within a drainage and utility easement (the “Easement”) on the property legally described as follows:

Lot 15 Block 2 Sweetbay Ridge, Anoka County, Minnesota

(the “Subject Property”).

WHEREAS, the placement within the drainage and utility easement would require a Variance and an Easement Encroachment Agreement, approved by the Planning Commission and City Council, respectively; and

WHEREAS, the Planning Commission met and held a duly noticed public hearing on July 22, 2021 and approved the Variance request; and

WHEREAS, the Applicant has a standard five (5’) foot Drainage and Utility Easement in the side yard; and

WHEREAS, the City Council reviewed the request for an Easement Encroachment Agreement on the Subject Property for the Structure during their regular meeting on August 10, 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 continue to maintain the Structure 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 10th day of August, 2021.

Mayor

ATTEST:

City Clerk

This document drafted by:
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