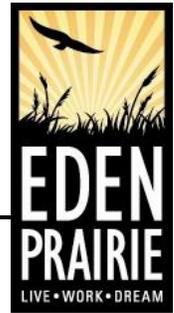


Mowing and Use of City Property Policy



The City of Eden Prairie owns a wide variety of properties, including managed parks, Conservation Areas, and City-owned Outlots for trails or stormwater ponding. Vegetation maintenance allowed for each category is summarized below. All unmowed City properties are classified as City park land or Natural Areas and are exempt from City Code Section 9.71, Subd. 2, which requires maintenance of vegetation to a maximum of 10 inches. City properties are owned by the public at large. However, this policy intends to describe the utilization, rights and responsibilities of property owners immediately adjacent to City owned property.

Occasionally, uses such as trails are constructed within easements upon private property. This policy is not intended to conflict with the rights of the underlying property owner to use their property in a manner consistent with the purpose of the easement. In other instances, such as a conservation easement, the rights and limitations of use by the property owner may be very limited. The purpose, intent and language of specific easement documents shall apply and are not intended to be altered by this policy document.

For the purposes of this policy, the term homeowner may be defined as an individual, a homeowners association or a cooperative arrangement of individual homeowners working together to perform mowing or maintenance activities.

Category A - No Mowing Allowed

Outlot classified as Park Land

Outlots classified as Park Land can only be mowed by the City. Individual homeowners may use maintained Outlots classified as Park Land for temporary and/or transitory purposes. This would include, but is not limited to, recreation or sports such as volleyball or baseball. Requirements established in City Code Section 9.04, Subd. 4-prohibiting specific activities-shall apply to all Park Land.

Outlot with Wetland. Pond. Lake or Creek

No mowing or vegetation removal is allowed in Outlots that are dedicated for preservation of water resources or treatment of stormwater. These properties cannot be utilized for playgrounds, gardens or construction of structures. However, if there is a City designated trail corridor through the Outlot, the trail corridor, as established by the City, may be mowed to a width of 2 feet beyond the edge of the trail on each side.

Outlot within a Conservation Area or Containing a Conservation Easement

Individual homeowners cannot mow within Conservation Areas or within designated Conservation Easements. Conservation Areas and Conservation Easements are established to conserve and manage sensitive natural areas within the community. No mowing or

vegetation management will occur without written approval from the City and must be conducted under the direct supervision of the City.

Outlot containing Steep Slopes

No mowing or vegetation removal is allowed on slopes that are equal to or steeper than three feet horizontal to one foot vertical (3:1) or in a scenic or conservation easement.

Category C- Mowing Permitted

Outlot Historically Maintained with No Wetland Pond Lake or Creek

Outlots that have been acquired by the City in a maintained state may continue to be mowed by the adjoining property owners. Homeowners may use historically maintained Outlots for temporary and/or transitory purposes. This would include, but is not limited to, recreation or sports such as volleyball or baseball. No mowing may occur beyond the area designated or maintained by the City. No structures, including but not limited to, play sets, retaining walls, sheds, fences or gardens, can be constructed within this area.

Outlot with Trail (No Wetland or Conservation Easements Involved)

An individual homeowner can mow an Outlot to the edge of a defined trail on that part of the Outlot adjoining the individual's property line and 2 feet beyond the trail if there is not an adjacent private property. No structures, including but not limited to, play sets, retaining walls, sheds, fences or gardens, can be constructed on the Outlot. Recreational and playground uses are permitted.

Category C -Mowing Required

Public Right of Way

Individual property owners are required to mow adjacent Right of Ways as outlined in City Code Section 9.71, Subd. 2., unless exempt through City Code Section 9.71, Subd. 3.

Waivers and Clarification

Waivers from this policy must be reviewed and approved by the Director of Parks and Recreation or his/her designee. Affected property owners may seek clarification for specific properties through the office of the Director of Parks and Recreation. It is intended that the City of Eden Prairie will maintain a map in the office of Parks and Recreation for all categories except right of way (which maps are maintained in the Office of the City Engineer). This policy will be reviewed from time to time by the Parks, Recreation and Natural Resources Commission and approved by the City Council.