Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
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On agenda:	12/6/2021	**Final action:**	12/20/2021
Enactment date:	12/20/2021	**Enactment #:**	10790
Title:	AN ORDINANCE AUTHORIZING THE RELEASE OF A RESTRICTIVE COVENANT REGARDING A DETACHED ACCESSORY STRUCTURE ASSOCIATED WITH PROPERTY AT 422 NORTH 19TH AND A HALF AVENUE WEST		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Exhibit A_restrictive covenant		

Date	Ver.	Action By	Action	Result
12/20/2021	1	City Council	adopted	
12/6/2021	1	City Council	read for the first time	

AN ORDINANCE AUTHORIZING THE RELEASE OF A RESTRICTIVE COVENANT REGARDING A DETACHED ACCESSORY STRUCTURE ASSOCIATED WITH PROPERTY AT 422 NORTH 19TH AND A HALF AVENUE WEST

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. The proper city officials are hereby authorized to release that Restrictive Covenant on file in the office of the County Recorder for Saint Louis County, Minnesota bearing document number 01351819, a copy of which is attached hereto as Exhibit A, affecting the following property:

Parcel I: North ½ of Lot 5 and all of Lot 6, Block 127, Meyers Rearrangement of Blocks 105, 106, 127, 128, 142 of Duluth Proper Second Division;

Parcel II: Lots 3 and 4, Block 127, Meyers Rearrangement of Blocks 105, 106, 127, 128, 142 of Duluth Proper Second Division.

Section 2. This ordinance shall take effect 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: The owners of Parcels I and II established a restrictive covenant (see Exhibit A) in order to obtain permission for a detached accessory structure located on Parcel II, which is separated from Parcel I by an intervening lot. Parcel I contains the principal structure. The restrictive covenant is needed in order to meet zoning restrictions pertaining to detached accessory structures.

The owners of the parcels have removed the detached accessory structure from Parcel II and would like to convey Parcel II to a party other than the owner of Parcel I, which is otherwise prohibited by the restrictive covenant.

Since the detached accessory structure has been removed, the purpose for the restrictive covenant is no longer valid. Staff recommends approval of the ordinance authorizing removal of the restrictive covenant.