



Department Source: Community Development - BSD

To: City Council

From: City Manager & Staff

Council Meeting Date: June 21, 2021

Re: Authorizing a Release and Termination of Declaration of Covenants Running with the Land/Agreements Running with the Land (119 S. Seventh Street)

## Executive Summary

The attached resolution would authorize the City Manager to execute a Release and Termination of Declaration of Covenants Running with the Land/Agreements Running with the Land. The subject property has since been replatted and the affected property acquired in a manner that renders the declaration and the agreement unnecessary.

## Discussion

Council authorized the City Manager to execute the Declaration of Covenants Running with the Land/Agreements Running with the Land in July 2016 to enable Seventh Street Properties of Columbia, LLC to seek building permits for an improvement to the building currently known as MyHouse (119 S. Seventh Street). The planned alterations, including a rear stairway to access a planned upstairs roof deck patio, would have crossed the property line into property that Seventh Street at that time leased from Hulett Descendants, LLC. The agreement provided assurances of removal of the improvements if the lease were ever terminated.

The building alterations project was never done, and in December 2020 Hulett Descendants, LLC and Seventh Street conveyed the parcels, which had been replatted, to Elm Street Enterprises, LLC as the single owner of the subject property that would have been involved in the building alterations. The current owner is JDR RE, LLC.

## Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Economy, Secondary Impact: Not Applicable, Tertiary Impact: Tertiary

### [Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Tertiary



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

## Legislative History

Date	Action
July 18, 2016	Approval of R 97-16 Authorizing a declaration of covenants running with the land/agreements running with the land necessary to allow issuance of a building permit and compliance with egress requirements as it relates to a building addition project on property at 119 S. Seventh Street
October 7, 2019	Ord. 024039 Approving the Final Plat of The Backyard
January 19, 2021	Ord. 024516 Approving the Final Plat of The Backyard, Plat 2

## Suggested Council Action

Approval of the resolution.