



City Council Memorandum

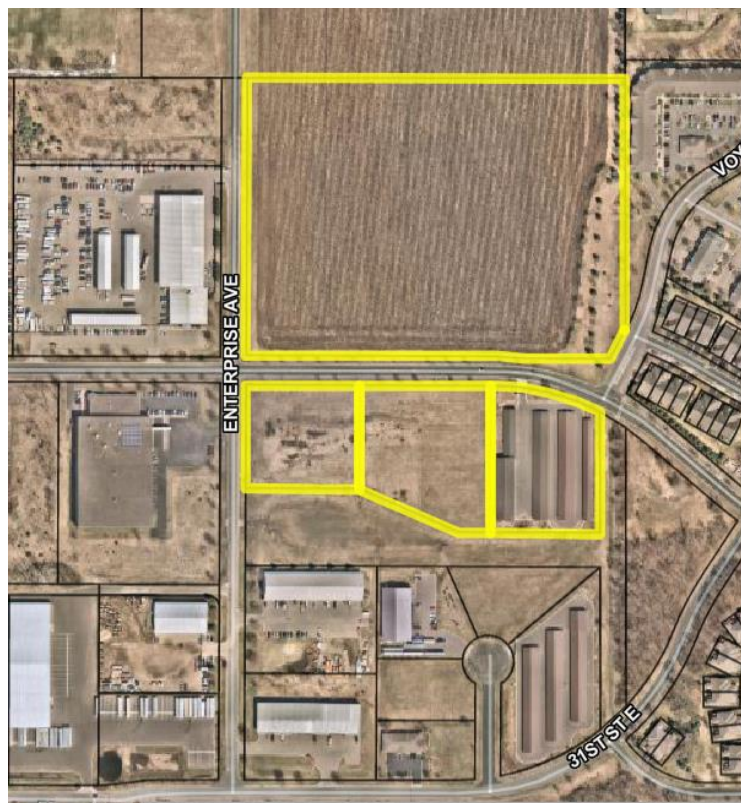
To: Mayor Fasbender and City Council
From: John Hinzman, Community Development Director
Date: February 5, 2024
Item: Authorize Signature: Release of Declaration of Covenants – Hastings Industrial Park

Council Action Requested:

Authorize signature of the attached Release of Declaration of Covenants, Conditions, and Restrictions. A simple majority of Council is required.

Background:

The covenants were recorded on four properties within the Hastings Industrial Park in 2006, subject to a ten year lifespan. The restrictions expired in 2016 and staff wishes to remove the covenants from the properties. The covenants were initially established at the request of a potential purchaser and developer of property who did not move forward with sale or development.



Attachment

- Release of Declaration of Covenants

**RELEASE OF DECLARATION OF CONVENANTS, CONDITIONS AND
RESTRICTIONS**

WHEREAS, the City of Hastings, a Minnesota municipal corporation (the “Declarant”), through a Declaration of Covenants, Conditions and Restrictions for Certain Lots Within Hastings Industrial Park No. 7 (“Restrictive Covenant”), executed on August 7, 2006 and recorded in the office of the County Recorder in Dakota County, Minnesota, as Document No. 2459811 on September 11, 2006, establishing certain covenants, conditions and restrictions on the following described land in County of Dakota and State of Minnesota, to-wit:

Lot 1, Block 1, Hastings Industrial Park No. 7
Lots 1-3, Block 2, Hastings Industrial Park No. 7

Abstract Property

PID: 193200602100
193200602020
193200602010
193200601010

(the “Properties”); and

WHEREAS, Condition #5 in the Restrictive Covenant stated that the term of the Restrictive Covenant was for a period of 10 years, which term has now expired; and

WHEREAS, Declarant wishes to release the Restrictive Covenant against the Properties.

NOW, THEREFORE, the Declarant hereby agrees to the release of the Restrictive Covenant against the Properties and the County Recorder in Dakota County, Minnesota, is hereby authorized to accept for recording and to record the filing of this instrument, to be a conclusive determination of the satisfactory termination of the Restrictive Covenant.

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