



MEMORANDUM

TO: Community and Economic Development Committee (CEDC)

FROM: Matt Rehbein, Economic Development Specialist

DATE: September 8, 2021

RE: Request for Deed Restriction Clarification - 2121 E. Capitol Drive (Tax ID 1-5324)

The property located at 2121 E. Capitol Drive is owned by Integrity Mutual Insurance and is currently being marketed for sale. The use has been office since original construction in 1991.

The City has been contacted by the attorney for a prospective buyer seeking clarification on the language originally allowing office use which states:

Buyer is granted a variance from Section II of the Deed Restrictions to permit construction of an office.

The prospective buyer is looking for assurance that the variance is not personal to the original buyer and would carry with the land. Since there is no reference to an expiration of the variance, staff believes the original intent was for this to run with the land. A Deed Restriction Variance Clarification (attached) has been requested from the buyer's attorney. This document has been reviewed by the City Attorney's Office.

Staff Recommendation:

The attached Variance Clarification document affirming the continuation of office use **BE APPROVED.**