



## Legislation Details (With Text)

**File #:** ID#24-0311    **Version:** 1    **Name:** Declaration of restricted covenant  
**Type:** Action Item    **Status:** Passed  
**File created:** 3/1/2024    **In control:** Community Redevelopment Agency  
**On agenda:** 3/18/2024    **Final action:** 3/18/2024

**Title:** Approve a Declaration of Restricted Covenant for property located at 1277 Grove Street, Clearwater, FL 33755, and authorize appropriate officials to execute same.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 27640981\_4\_(MIADOCS)\_Declaration of Restrictive Covenants (Clearwater Gardens).pdf

Date	Ver.	Action By	Action	Result
3/18/2024	1	Community Redevelopment Agency		

### SUBJECT/RECOMMENDATION:

Approve a Declaration of Restricted Covenant for property located at 1277 Grove Street, Clearwater, FL 33755, and authorize appropriate officials to execute same.

### SUMMARY:

At the February 12, 2024, Community Redevelopment Agency (CRA) meeting approved a fourth amendment to the Agreement for Development and Purchase and Sale to Archway Clearwater Gardens, LLC. The Amendment requires the execution of a declaration of a restrictive covenant, instead of a perpetual easement, restricting the use of the community garden site to use as a community garden for the benefit, use, and enjoyment of the public. This change eliminates the need for the City to procure, manage, or contract with future operators and users of the community garden. Archway will take on this responsibility.

The Property shall be used solely as a community garden for a period of 30 years commencing on the Effective Date of this Declaration and for no other use.

For purposes of this Declaration, community garden shall mean an activity on the property where more than one person grows produce and/or horticultural plants for their consumption and enjoyment, for the consumption and enjoyment of friends and relatives, and/or donation to a not-for-profit organization, generally on a not-for-profit basis.

### STRATEGIC PRIORITY:

