

12/14/2010 Page

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3 10:23AM

Document Title: Decla Ra	Mod Of	RESTRICTIVE	COVERIANTI
Reference Number:	as as		
Grantor(s):	[_] additiona	l grantor names on page	··
1. Dean R. Hasenbalg	7		
2. Angela D. Hasenbalg			
<u>Grantee(s):</u>	[_] additiona	l grantee names on page	≥
1. PUBLEL 2.			
Abbreviated legal description:	[_] full legal	on page(s)	
LoT4 Block 1 La	Lonner		es.
Assessor Parcel / Tax ID Number:	[_] additiona	l tax parcel number(s) o	on page
PARCEZ B			
P73987			



DECLARATION OF RESTRICTIVE COVENANT

WHEREAS, <u>Dean and Angela Hasenbalg</u> ("Declarant") is the owner of real property described below (the "Property"), which Property currently contains a single family residence ("Primary Dwelling Unit"); and

WHEREAS, Declarant has made application to the Town of La Conner for permission to construct and utilize on the Property an "Accessory Dwelling Unit" pursuant to LCC Section 15.110.080 (the "Code"): and

WHEREAS, the code requires that:

- (1) The owner of the property must live in either the primary dwelling or the accessory dwelling.
- (2) The applicant shall provide evidence of a recorded deed restriction prior to the issuance of a conditional use permit.
- (3) The accessory dwelling may be no more than 700 square feet in size.
- (4) The single-family appearance and character of the dwelling unit shall be maintained when viewed from the surrounding neighborhood. The accessory unit shall be compatible in appearance and character with the primary dwelling unit.
- (5) At least two spaces of off-street parking will be provided for the primary dwelling and a single off-street parking space shall be provided for the accessory dwelling unit.

WHEREAS, Declarant accepts as reasonable the Conditions and agrees that this fully executed Declaration Restrictive Covenant (Declaration") shall be recorded at Declarant's expense by the Town of Conner upon approval of the Declarant's application;

DECLARANT HEREBY DECLARES THAT, with respect to the real property legally described as follows,

PARCEL "B" OF BOUNDARY LINE ADJUSTMENT SURVEY RECORDED UNDER AF#200710080124 AKA LOT 4 AND THE NORTHERLY 32.9 FEET OF LOT 3, BLOCK I, MAP OF LACONNER AS PER PLAT RECORDED IN VOLUME 2 OF PLATS AT PAGE 49, IN THE RECORDS OF SKAGIT COUNTY, STATE OF WASHINGTON.

upon construction and occupation of any improvements permitted and intended as an Accessory Dwelling Unit the Conditions shall apply to the Property, to wit: (1) The owner of the property must live in either the primary dwelling or the accessory dwelling; (2) The applicant shall provide evidence of a recorded deed restriction prior to the issuance of a conditional use permit; (3) The accessory dwelling may be no more than 700 square feet in size; (4) The single-family appearance and character of the dwelling unit shall be maintained when viewed from the surrounding neighborhood. The accessory unit shall be compatible in appearance and character with the primary dwelling unit; (5) At least two spaces of off-street parking will be provided for the primary dwelling and a single off-street parking space shall be provided for the accessory dwelling unit.

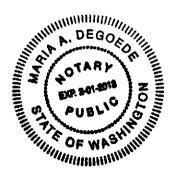
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DECLARATION OF RESTRICTIVE COVENANT

201012140020 Skagit County Auditor Declarants acknowledge that the Conditions are encumbrances on, and shall continue to run with, the Property and can only be extinguished with written consent by the Town of La Conner. The Town of La Conner is the sole intended beneficiary of this Declaration and may enforce this Declaration in any legal or equitable manner, including but not limited to code enforcement proceedings. In any proceeding whatsoever to enforce this Declaration, the prevailing party shall receive an award of its reasonable attorney fees and costs including those incurred in any appeal.

Dated this 12 day of 12	, 20 10 .
	Angele Wasenbale
	Property Owner Signarce
	Angela Hasenbala
	Principale C
	Dean R. Havenbalg
	Property Owner Signature
	Dean R. Hasenbaly
	Print Name
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STATE OF WASHINGTON)) SS.	
COUNTY OF SKAGIT)	

I certify that I know or have satisfactory evidence that <u>Dean + Angela Hasenbalg</u> are the person(s) who appeared before me and said person(s) acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.



Notary Public

My appointment expires: 2-1-13