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Document Title:

Declaration of Restrictive
Covenant

Reference Number (if applicable):

Grantor(s):

additional grantor names on page ____.

- 1) Joan Cross
- 2) _____

Grantee(s):

additional grantor names on page ____.

- 1) Town of La Conner
- 2) Public

Abbreviated Legal Description:

full legal on page(s) 2

La Conner Lots 1-4 BIK H et al

Assessor Parcel /Tax ID Number:

additional parcel numbers on page ____.

P73978

DECLARATION OF RESTRICTIVE COVENANT

WHEREAS, Joan Cross, ("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 utilize on the Property an "Accessory Dwelling Unit" pursuant to LCMC 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 upon approval of the Declarant's application;

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

LA CONNER LOTS 1 TO 4 BLOCK H, EXCEPT THE NORTHERLY 10 FEET OF LOT 4, BLOCK H

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.

Declarant acknowledges 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

