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Skagit County Auditor

COVER SHEET FOR RECORDING

RETURN TO: City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273

Replace AF# 201907010088

DOCUMENT TITLE: Restrictive Covenant (Regarding Reduced Impact Fees for Senior Citizens)

GRANTORS: GREG JOHNSTON & KATHY JOHNSTON

GRANTEES: City of Mount Vernon

ABBREVIATED LEGAL DESCRIPTION:

(8.6500 ac) LOT 3 SHORT PLAT 29-87 LOCATED SW1/4 SW1/4, SECTION 14, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M. SURVEY AF#201902140016

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER(S):

P24745

**RESTRICTIVE COVENANT
REGARDING REDUCED IMPACT FEES FOR SENIOR CITIZENS**

THIS COVENANT is made and entered into this 19 day of July, 2019, by and between the City of Mount Vernon, hereinafter the "City," and GREG JOHNSTON & KATHY JOHNSTON, hereinafter the "Owner."

RECITALS

WHEREAS, the Owner's property (hereinafter Property) is located in the Urban Growth Area (UGA) of the City, and is more particularly described within the attached **Exhibit A**, and

WHEREAS, pursuant to Skagit County Code 14.30, Skagit County collects traffic impact fees on behalf of the City and according to the City's traffic impact fee schedule, and

WHEREAS, the City's traffic impact fee schedule allows for a reduced traffic impact fee when the Property is occupied by persons aged 62 or older, and

WHEREAS, the owner wishes to construct a single-family residential structure and restrict the age of the resident(s) of the Property to those age 62 or older.

NOW, THEREFORE,

FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED IN THIS DOCUMENT, AND THE MUTUAL BENEFITS DERIVED THEREFROM, THE PARTIES DO AGREE AS FOLLOWS:

AGREEMENT

SECTION ONE. The resident(s) of the Property shall be aged 62 or older. Persons not classified as temporary guests (as defined in SECTION TWO) shall be deemed a resident of the structure if that person remains overnight or sleeps in the structure.

SECTION TWO. Overnight visits by temporary guests are allowed so long as the visits do not exceed thirty (30) consecutive nights.

SECTION THREE. A traffic impact fee for the development of the Property shall be paid in the manner and in the amount specified by the City of Mount Vernon traffic impact fee ordinance in effect at the time the building permit issued.

SECTION FOUR. This Covenant shall be deemed to be a covenant running with the land.

SECTION FIVE. This Covenant shall apply to, inure to the benefit of, and be binding upon the Owners of the Property and their heirs, legal representatives, successors and assigns.

SECTION SIX. The City agrees to execute an Amendment to the Covenant eliminating the age restriction of the residents at such time as the balance of the full traffic impact fee in effect at the time of the Amendment is paid in full. This amount will be credited by \$1,275 to reflect the reduced traffic impact fee already paid by the Owner. In the event there is not a traffic impact fee in effect at the time of the Amendment or the impact fee is less than the traffic impact fees at the time of recording this Covenant, then the amount to be paid by Owner will be \$3,676.

SECTION SEVEN. This Covenant shall be governed by the laws of the State of Washington. If any action is brought to enforce the terms of this Covenant, such action shall be brought in Superior Court in Skagit County, Washington.

IN WITNESS WHEREOF, the parties hereto have caused this Covenant to be executed as of the dates set forth below:

SIGNED AND APPROVED this 19 day of July, 2019

OWNER:

Gregory Johnston Debbie Johnston
(insert name)

Alaska
STATE OF WASHINGTON
matanuska ss.
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Gregory and Kathy Johnston is the
persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath
stated that they are authorized to execute the instrument and acknowledged it as the
owners, to be the free and voluntary act and deed of said
company, for the uses and purposes therein mentioned.

Given under my hand and official seal this 19th day of July, 2019.



Notary Public Signature

A handwritten signature in black ink, appearing to read "Stevie LaVine", written over a horizontal line.

Notary Public Printed Name

Stevie LaVine

Residing at

Wasilla, Alaska

Commission
My appointment expires

11-01-2020

EXHIBIT A

ADDRESS & PARCEL #:

14796 State Route 9
Mount Vernon, WA 98273

P24745

LEGAL DESCRIPTION

(8.6500 ac) LOT 3 SHORT PLAT
29-87 LOCATED SW1/4 SW1/4,
SECTION 14, TOWNSHIP 34
NORTH, RANGE 4 EAST, W.M.
SURVEY AF#201902140016