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Skagit County Auditor

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COVENANT AND AGREEMENT REGARDING ACCESSORY DWELLING UNIT

I. PARTIES

The parties to this covenant and agreement regarding accessory dwelling unit (Agreement) are:

1. The Grantor, the City of Mount Vernon, Washington, a municipal corporation of the State of Washington (City); and
2. The Grantee, Floyd Hagman (Owner).

II. RECITALS

WHEREAS Owner is the owner and occupant of real property in the City of Mount Vernon, Washington, more particularly described as follows:

Legal Description: COLLEGE HEIGHTS ADD TO MOUNT VERNON, LOT 42, EXCEPT BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 42; THENCE SOUTH 40 DEGREES 30' 30" WEST, ALONG THE SOUTHEASTERLY LINE OF LOT 42, A DISTANCE OF 131.77 FEET; THENCE NORTH 44 DEGREES 36' 31" WEST, A DISTANCE OF 16.21 FEET; THENCE NORTH 47 DEGREES 34' 15" EAST, A DISTANCE OF 131.38 FEET TO THE POINT OF BEGINNING. ALSO EXCEPT BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 42; THENCE NORTH 54 DEGREES 23' EAST 61.60 FEET ALONG THE NORTHWESTERLY LINE OF SAID LOT 42; THENCE SOUTH 30 DEGREES 54' 41" EAST 141.49 FEET TO THE MOST WESTERLY CORNER OF THAT TRACT DESCRIBED IN QUIT CLAIM DEED TO FLOYD AND DOROTHY HAGMAN RECORDED UNDER AUDITOR'S FILE NO. 784121; THENCE SOUTH 44 DEGREES 36' 31" EAST 16.21 FEET ALONG THE SOUTHWESTERLY LINE OF SAID HAGMAN TRACT TO THE SOUTHEASTERLY LINE OF SAID LOT 42; THENCE SOUTH 40 DEGREES 30' 30" WEST 54.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 42; THENCE NORTH 35 DEGREES 37' WEST 170.00 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 42 TO THE POINT OF BEGINNING
1801 Windsor Drive, Mount Vernon, WA

P52535

Accessory Dwelling Unit Agreement

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Applicant/Site Address of ADU: 1801 Windsor Drive

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Situate in the City of Mount Vernon, County of Skagit, State of Washington.

WHEREAS, Owner desires to locate an accessory dwelling unit on the premises, and

WHEREAS, the City of Mount Vernon specifically provides for and authorizes accessory dwelling units pursuant to Ordinance 2593, and

WHEREAS, Section 1(M) of Ordinance 2593 specifically provides that the applicant shall provide a covenant regarding owner-occupancy of the premises and removal of the accessory dwelling in the event owner-occupancy ceases, and

WHEREAS, the City is prepared to issue a special use permit for an accessory dwelling unit on the premises on the condition that his covenant be executed by Owner, and

WHEREAS, the Owner acknowledges that the granting of a special use permit constitutes adequate consideration for the agreement and covenant herein contained,

NOW, THEREFORE,

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

III. AGREEMENT

1. City agrees to issue to Owner a permit to allow an accessory dwelling unit upon the premises described above, provided that the owner complies with all other conditions and obligations set forth in Ordinance 2593.

Accessory Dwelling Unit Agreement

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Applicant/Site Address of ADU: 1801 WOODSLEY DRIVE

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2. Owner specifically covenants on behalf of himself and all subsequent purchasers of the premises that the existence of the accessory dwelling unit or the principal dwelling unit by the owner. Owner further covenants that at such time as the owner of the property no longer occupies either the principal dwelling unit or the accessory dwelling unit, then the accessory dwelling unit shall be removed and all improvements added to convert the premises to an accessory dwelling unit shall be removed and the site shall be restored to single family dwelling.
3. This Agreement shall run with the land and shall be binding upon the heirs, successors, and assigns of the parties hereto.
4. This agreement shall be recorded in the Office of the Skagit County Auditor immediately following issuance by the City of a special use permit for an accessory dwelling unit on the premises. In the event such permit is not issued by the City, this Agreement shall be null and void.

DATED THIS 13 DAY OF September, 2006

CITY OF MOUNT VERNON

BY: [Signature]

JANA HANSON, Development Service Director

ATTEST: [Signature]

ALICIA HUSCHKA, Finance Director

APPROVED AS TO FORM:

[Signature]

KEVIN ROGERSON, City Attorney
Accessory Dwelling Unit Agreement

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Applicant/Site Address of ADU: 1801 Walnut Drive

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OWNER

BY:

Floyd Hagman

STATE OF WASHINGTON)

) ss.

COUNTY OF SKAGIT)

On this 13th day of September 2008 before me personally appeared Floyd Hagman and acknowledged said instrument to be the free and voluntary act and deed of said persons for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

Given under my hand and official seal, the day and year last above written.



Krista Jewett
Notary Public in and for the State of Washington

residing at

Skagit Co

My appointment expires

9-24-07

Accessory Dwelling Unit Agreement

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Applicant/Site Address of ADU:

1001 Windsor Dr.

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