



201106290108  
Skagit County Auditor

6/29/2011 Page 1 of 4 1:45PM

**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, \_\_\_\_\_ Adam Acosta \_\_\_\_\_ (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: 2227 North LaVenture Road, P25752

ACREAGE ACCOUNT, ACRES 0.45, (DR20) THAT PORTION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING 693.05 FEET SOUTH AND 30.00 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 17; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2, 135.80 FEET; THENCE SOUTH 96.00 FEET; THENCE EAST 135.80 FEET TO THE WEST MARGIN OF COUNTY ROAD, SAID POINT BEING 30.00 FEET WEST OF THE EAST LINE OF SECTION 17; THENCE NORTH 96.00 FEET TO THE POINT OF BEGINNING. ALSO TOGETHER WITH THE NORTH 20.492 FEET OF THE EAST 135.80 FEET OF LOT 1, "PLAT OF SANDALWOOD", AS PER PLAT RECORDED IN VOLUME 11 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY, WASHINGTON. ALSO TOGETHER WITH THAT PORTION OF THE NORTH 10 FEET OF THE SOUTH HALF OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTH 20.492 FEET OF THE EAST 135.80 FEET OF LOT 1, "PLAT OF SANDALWOOD" AS PER PLAT

Accessory Dwelling Unit Agreement

Page 1 of 4

Applicant/Site Address of ADU: 2227 North LaVenture Road \_\_\_\_\_

S:\Land Use\2011 APPLICATIONS\LU11-016-SUP Acosta\Covenant for ADU-SUP.docLU11-016

RECORDED IN VOLUME 11 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY;  
THENCE NORTH 5 FEET; THENCE EAST TO A POINT 5 FEET SOUTH OF THE SOUTHWEST  
CORNER OF LOT 1 OF "CRESSMOOR DIV. NO. 1," AS PER PLAT RECORDED IN VOLUME 12  
OF PLATS, PAGE 1, RECORDS OF SKAGIT COUNTY; THENCE SOUTH 5 FEET TO THE  
NORTH LINE OF SAID LOT 1, "PLAT OF SANDALWOOD"; THENCE EAST TO THE POINT OF  
BEGINNING.

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 3429, and MVMC  
17.81.110, and

**WHEREAS,** Section M, of MVMC 17.81.110, 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,**

Accessory Dwelling Unit Agreement

Page 2 of 4

Applicant/Site Address of ADU: 2227 North LaVenture Road \_\_\_\_\_

S:\Land Use\2011 APPLICATIONS\LU11-016-SUP Acosta\Covenant for ADU-  
SUP.docLU11-016



201106290108  
Skagit County Auditor

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 3429 and MVMC 17.81.110.
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 \_\_\_\_\_ DAY OF \_\_\_\_\_,

**CITY OF MOUNT VERNON**

BY: \_\_\_\_\_

JANA HANSON,  
Community and Economic Development Director

Accessory Dwelling Unit Agreement

Page 3 of 4

Applicant/Site Address of ADU: 2227 North LaVenture Road \_\_\_\_\_

S:\Land Use\2011 APPLICATIONS\LU11-016-SUP Acosta\Covenant for ADU-SUP.docLU11-016



201106290108  
Skagit County Auditor

6/29/2011 Page

3 of

4 1:45PM

