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8/12/2011 Page 1 of 3 11:02AM

Document Title:

DECLARATION OF RESTRICTIVE COVENANT

Reference Number :

Grantor(s):

additional grantor names on page ___

1. RICHARD K. WARD
2. TERESA A. WARD

Grantee(s):

additional grantee names on page ___

1. PUBLIC
- 2.

Abbreviated legal description:

full legal on page(s) 49

LA CONNER, lots 1, 2 & 3

vol 2

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ___

P74372

UNRECORDED PUBLIC DOCUMENT

DECLARATION OF RESTRICTIVE COVENANT

WHEREAS, RICHARD KLWARD ~~TERESA A. KLWARD~~ (FORMERLY KNOWN AS TERESA A. KOKIC) ("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,

LA CONNER, LOTS 1, 2 AND 3 EXCEPT THE NORTH 30 FEET THEREOF IN BLOCK P, "MAP OF LACONNER, WHATCOM COUNTY, WASH. TERRY., 1872," AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, 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.



