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Skagit County Auditor

**Return Address:**

City of Anacortes  
Planning, Community + Economic  
Development Dept.  
PO Box 547  
Anacortes, WA 98221

**Document Title:**

Covenant for Owner Occupancy

**Reference Number** (if applicable): Project Number BLD2020-0021  
(ADU Permit)

**Grantor(s):**  additional grantor names on page \_\_\_

- 1) Bennett, Waileen E.
- 2) Bennett, Ann L.

**Grantee(s):**  additional grantor names on page \_\_\_

- 1) The City of Anacortes
- 2) \_\_\_\_\_

**Abbreviated Legal Description:**  full legal on page(s) \_\_\_

Tract C S/P AN-91-004 RECORDED AP# 9311120002  
BEING PORTION BLOCK 211+212 AKA EAST 10FT of LOT 17  
ALL LOTS 18 TO 20, BLOCK 211 CITY OF ANACORTES

**Assessor Parcel /Tax ID Number:**  additional parcel numbers on page \_\_\_

P56270

COVENANT FOR OWNER OCCUPANCY

This Covenant for Owner Occupancy ("Covenant") is entered into by the undersigned owner(s) of real property legally described in Exhibit A hereto, in the favor of the City of Anacortes as required for the issuance to the owner(s) of a permit allowing the construction and/or use of an accessory dwelling unit on the property described in Exhibit A hereto ("the property").

Wailen E. Bennett and Ann L. Bennett agree(s) as follows:

1. That he/she/they are the owner(s) of the property located in Anacortes, Washington at 2202 21st Street, Anacortes, WA and legally described in Exhibit A, and that there are no other owners; 98221
2. That he/she/they applied for a permit to construct and/or use an accessory dwelling unit on the property pursuant to Anacortes Municipal Code (AMC) 19.47.030 and make(s) this covenant as required by AMC 19.47.030(C)(10);
3. That the owner(s) of the property will restrict the use of the principal and accessory dwelling unit on the property in compliance with the requirements of AMC 19.47.030;
4. That the owner with at least a 50 percent interest in the property will occupy either the principal dwelling unit or the accessory dwelling unit for six or moths of each calendar year as the owner's principal residence, unless a waiver has been applied for and granted by the City of Anacortes Planning, Community & Economic Development Department (PCED);
5. That if the owner(s) of the property are unable or unwilling to fulfill the requirements of AMC 19.47.030 for owner occupancy, then the owner(s) will remove those features of the accessory dwelling unit that make it a dwelling unit, as determined by PCED, including but not limited to removing electrical and plumbing fixtures and connections;
6. That this covenant shall run with the land and be binding upon the property owner(s), his/her/their heirs and assigns, and upon any parties subsequently acquiring any right, title or interest in the property;
7. That the undersigned owners and their heirs, successors and assigns will inform all prospective purchasers of the property of the terms of this Covenant; and
8. That this Covenant will be recorded by the owner(s) in the real estate records of the Skagit County Auditor's Office as a deed restriction, prior to issuance of the permit allowing construction and/or use of an accessory dwelling unit on the property.

Wailen E. Bennett  
Owner Signature

Ann L. Bennett  
Owner Signature

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Owner Signature

STATE OF WASHINGTON )  
 )  
COUNTY OF SKAGIT )

On this 30th day of January, 2020, before me, a Notary Public in the State of Washington, duly commissioned and sworn, personally appeared Walter E. Bennett and Ann L. Bennett personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be a free and voluntary act and deed for the uses and purposes mentioned in the instrument. IN WITNESS WHEREOF I have set my hand and official seal the day and year first above written.

(signature)

Kim M. Smith

Kim M. Smith  
(print or type name)



NOTARY PUBLIC in and for the State of Washington

Residing at 12011 Kerkman.

My commission expires 10-6-2020.

EXHIBIT A TO OWNER OCUPANCY COVENANT

COMPLETE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO COVENANT

LEGAL DESCRIPTION:

For 2202 21st St, Anacortes WA 98221:  
TRACT C S/P AN-91-004 RECORDED AF#9311120002 BEING PORTION  
BLOCK 211 & 212 AKA EAST 10 FEET OF LOT 17 ALL LOTS 18 TO 20,  
BLOCK 211 CITY OF ANACORTES