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Skagit County Auditor

**Return Address:**

City of Anacortes  
Planning, Community & Economic Development Department  
P.O. Box 547  
Anacortes, WA 98221

Please print or type information. WASHINGTON STATE RECORDER'S Cover Sheet. (RCW 65.04)

**Document Title(s) (or transactions contained therein):**

COVENANT FOR OWNER OCCUPANCY

**Reference Number(s) of Documents assigned or released:** N/A

**Project Number:** BLD-2022-0446

**Grantor(s) (Last name, first name, middle initial):**

1. Johnston Damon S.
2. Johnston Misty S.

**Additional names on page**      **of document.**

**Grantee(s) (Last name, first, then first name and initials):**

THE CITY OF ANACORTES

**Legal description (abbreviated: i.e. lot, block, plat or section, township, range):**

LOTS 1 AND 2, BLOCK 1110, NORTHERN PACIFIC ADDITION TO THE CITY OF ANACORTES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGES 9 THROUGH 11, RECORDS OF SKAGIT COUNTY, WASHINGTON  
Additional legal is on page      of document.

**Assessor's Property Tax Parcel/Account Number:** P58213

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

## 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").

DAMON JOHNSTON, MISTY JOHNSTON agree(s) as follows:

1. That he/she/they are the owner(s) of the property located in Anacortes, Washington at 3601 West 5th Street Anacortes WA 98221, and legally described in Exhibit A, and that there are no other owners;
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 months 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.

Damon Johnston  
Owner Signature

Misty Johnston  
Owner Signature

Owner Signature

Owner Signature

STATE OF WASHINGTON )

COUNTY OF SKAGIT )

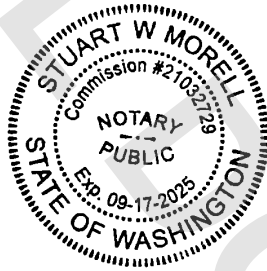
On this 21<sup>st</sup> day of September, 20 22, before me, a Notary Public in the State of Washington, duly commissioned and sworn, personally appeared Damon Johnston & Misty Johnston personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument 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)

Stuart W Morell

(print or type name)



NOTARY PUBLIC in and for the State of Washington

Residing at AnacortesMy commission expires 98221

## EXHIBIT A TO OWNER OCUPANCY COVENANT

## COMPLETE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO COVENANT

## LEGAL DESCRIPTION:

Lots 1 and 2, BLOCK 1110, NORTHERN  
PACIFIC ADDITION TO THE CITY OF  
ANACORTES, ACCORDING TO THE PLAT THEREOF  
RECORDED IN VOLUME 2 OF PLATS, PAGES 9  
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