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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:**

**Project Number:**

Ref. # 23-0413

BLD # 2023-1474

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

1. Mooney Patrick D.
2. Mooney Diane A.

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):**

\* 1.0 ac S.W. QTR. Sec 25, TNSHIP 35 N. Range 1 East. W. M.

Additional legal is on page 3 of document.

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

P114294

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").

\_\_\_\_\_, \_\_\_\_\_ agree(s) as follows:

1. That he/she/they are the owner(s) of the property located in Anacortes, Washington at 1918 41<sup>st</sup> street Anacortes, 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 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.

Patrick D. Mcnery  
Owner Signature

Donna A. Mcnery  
Owner Signature

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

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

STATE OF WASHINGTON )

COUNTY OF SKAGIT )

On this 8<sup>th</sup> day of January, 2024, before me, a Notary Public in the State of Washington, duly commissioned and sworn, personally appeared Patrick D. Mooney 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.

*Stephanie Snyder*

(signature)

Stephanie Snyder

(print or type name)

NOTARY PUBLIC in and for the State of Washington

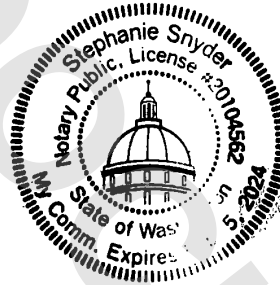
Residing at Camano Island, WA.My commission expires 2.5.2024.

EXHIBIT A TO OWNER OCUPANCY COVENANT

COMPLETE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO COVENANT

LEGAL DESCRIPTION:

SEE ATTACHED.



**Legal Description at time of Assessment:**

This is the legal description as of the most recent certification of the assessment roll. The Current Legal Description reflects any changes resulting from boundary modifications after certification.

(1.0000 ac) THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 25, (SOUTH QUARTER CORNER); THENCE NORTH 1-30-24 EAST A DISTANCE OF 1,311.42 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25; THENCE NORTH 88-59-27 WEST A DISTANCE OF 665.86 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE CENTERLINE OF 41ST STREET; THENCE NORTH 1-28-55 EAST A DISTANCE OF 30.00 FEET, PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, TO THE NORTHERLY MARGIN OF SAID 41ST STREET AND THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 1-28-55 EAST A DISTANCE OF 193.01 FEET; THENCE NORTH 88-59-27 WEST A DISTANCE OF 226.01 FEET, MORE OR LESS, TO THE EAST LINE OF PARCEL 'B' DESCRIBED ON WARRANTY DEED TO PAT DOUGLAS MOONEY AND BETTY A MOONEY, HUSBAND AND WIFE, AND RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 702164; THENCE SOUTH 1-28-55 WEST A DISTANCE OF 193.01 FEET ALONG THE EAST LINE OF SAID MOONEY PARCEL 'B' TO SAID NORTHERLY MARGIN OF 41ST STREET; THENCE SOUTH 88-59-27 EAST A DISTANCE OF 226.01 FEET ALONG SAID NORTHERLY MARGIN OF 41ST STREET TO THE TRUE POINT OF BEGINNING.