After Recording Please Return To:

City of Yakima

c/o Planning Division

129 N. 2nd Street

Yakima, WA 98901

**DEED RESTRICTION FOR ACCESSORY DWELLING UNIT**

GRANTOR: [ Property owner, (note husband and wife, or type of business entity) ]

GRANTEE: The Public

LEGAL DESCRIPTION: [ Insert legal description of property or an abbreviated legal description and reference to the page number(s) on which the full legal description of the property is located ]

ASSESSOR’S PROPERTY TAX PARCEL NO.: [ Insert tax parcel number ]

DEED RESTRICTION FOR ACCESSORY DWELLING UNIT

GRANTOR is the owner of the following real property located in Yakima County, Washington, on which there currently exists a primary dwelling unit:

[ Insert full legal description ]

GRANTOR proposes to construct an accessory dwelling unit (hereinafter referred to as “ADU”) on the above-described real property as an accessory to the primary dwelling unit currently located thereon. Pursuant to Yakima Municipal Code section 15.09.045(B)(13), GRANTOR is placing the following restrictions on its deed and use of its real property to accommodate the requested ADU:

1. The ADU may be attached to the primary residence or attached to or above a detached garage, or be its own stand-alone structure.
2. Off-street parking shall be provided as required in YMC 15.06 for both the ADU and the primary residence located on the property described above.
3. The ADU’s floor area shall not exceed one thousand square feet.
4. The ADU’s exterior walls shall be designed so as to be similar in style, color, and building materials to the primary detached dwelling.
5. If the ADU is attached to the primary structure, it shall have the same building setbacks as the primary structure. If the ADU is attached to, or built above a detached garage or a stand-along structure it shall have the same building setbacks as the accessory structure.
6. A parcel/lot shall contain no more than one single-family residence and one ADU.
7. The ADU shall not be allowed if the parcel contains a duplex or multi-family dwelling, or a commercial or industrial structure or use.
8. The ADU shall only be permitted if the parcel on which it is being placed is sized appropriately for a duplex pursuant to YMC 15.05.030, Table 5-2. If the ADU is proposed on a lot smaller than the minimum lot size it may be approved after undergoing one additional level of review as shown in YMC 15.04.030, Table 4-1.
9. Both the primary residence and the ADU on the parcel shall be connected to public sewer and water.
10. If the ADU is attached to the primary dwelling unit, the two units shall share a single sewer and water connection.
11. If the ADU is attached to, or located above, a detached garage, or is a stand-alone structure, the ADU may have its own sewer and water connection, with required meters, or share the sewer and water connection with the primary dwelling unit. Any connection shall be consistent with applicable codes.
12. The lot shall not be subdivided or otherwise segregated in ownership in a way that separates the ADUI and the primary dwelling unit on different lots, except as permitted under YMC Title 14.
13. Any site plan for the construction or conversion of an ADU shall indicate the ADU.
14. Any exterior stairs associated with the ADU shall be placed in the rear or side yard of the property.
15. This deed restriction shall be recorded with the Yakima County Auditor’s Office.
16. IN the event the ADU is used as a short term rental, the property owner shall comply with YMC 15.09.080 and all other applicable code sections.

In addition to the restrictions outlined in YMC 15.09.045(B), upon review by the City, the following additional conditions are placed on the property and/or the ADU:

[ Insert any other conditions that may be required when the review was done ]

The above-referenced deed restrictions shall run with the land.

DATED this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

GRANTOR:

[Insert Property Owner Name] [Insert Property Owner Name]

[If it is a corporation:

CORPORATION NAME

BY: (Type name)

Its: (Type position with corporation) ]

STATE OF WASHINGTON )

) ss.

County of Yakima )

I certify that I know or have satisfactory evidence that [INSERT GRANTOR NAME] is the person who appeared before me, and said person acknowledged that they signed this instrument, on oath stated that they were authorized to execute this instrument, and acknowledged it to be the free and voluntary act of said party for the uses and purposes mentioned in this instrument.

GIVEN under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

By: NOTARY PUBLIC in and for the State

of Washington

Residing at:

My commission expires:

STATE OF WASHINGTON )

) ss.

County of Yakima )

I certify that I know or have satisfactory evidence that [INSERT GRANTOR NAME] is the person who appeared before me, and said person acknowledged that they signed this instrument, on oath stated that they were authorized to execute this instrument, and acknowledged it to be the free and voluntary act of said party for the uses and purposes mentioned in this instrument.

GIVEN under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

By: NOTARY PUBLIC in and for the State

of Washington

Residing at:

My commission expires:

IF CORPORATION:

STATE OF WASHINGTON )

) ss

County of Yakima )

I certify that I know or have satisfactory evidence that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the \_\_\_\_[insert title, i.e. president, ceo]\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_[insert corporation]\_\_\_\_\_\_\_\_, signed this instrument, and on oath stated that they were authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public for the State of Washington

Residing at:

Appointment Expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_