

After Recording Mail To:

**Chad & Sophie Miller
450 NW Frank Johns Road
Stevenson, WA 98648**

COVENANT

A COVENANT to the City of Stevenson from **Chad William Miller and Sophie A. Miller, Husband and Wife**, agreeing that certain land which he/she/they own and which is hereinafter described shall be subject to the conditions herein set forth.

That Chad William Miller and Sophie A. Miller, Husband and Wife, property owner, hereby covenants to the City of Stevenson as follows, on behalf of himself/herself/themselves and all of his/her/their heirs and assigns unto whose ownership any such land might pass, it being specifically covenanted that this is a perpetual covenant running with the land herein described:

1. That **Chad William Miller and Sophie A. Miller, Husband and Wife** are the owner of the following described real property in the City of Stevenson, Skamania County, Washington, to-wit:

Full Legal Description: A tract of land located in Lot 12 of Stevenson Park Addition, according to the official plat thereof as more fully described in Exhibit 'A'

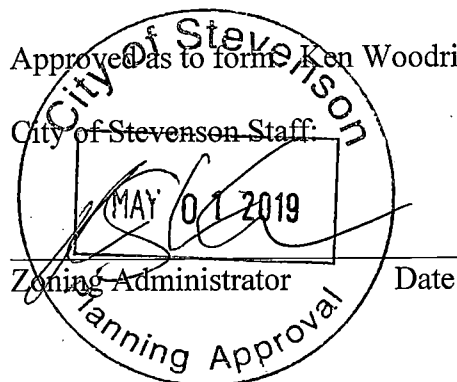
Tax Parcel Number: **03-07-36-1-4-1600**

Address: **450 NW Frank Johns Road**

2. The current R1—Single-Family Residential zoning designation applied to this property allows for only one dwelling unit per parcel except as otherwise provided for in Stevenson Municipal Code, Section 17.40.040 (Accessory Dwelling Units).
3. In accordance with the provisions of Section 17.40.040, the property owner herein agrees that:
 - a. One of the dwelling units is and will continue to be occupied by the owner

of the property as the owner's permanent residence for as long as the other unit is being rented or otherwise occupied.

- b. The owner shall maintain residency for at least 6 months out of the year, and at no time receive rent for, or otherwise allow to be occupied, the owner occupied unit.
 - c. The parcel containing the ADU shall not be reduced in size below 6,000 square feet in lot area.
 - d. Building additions for the ADU shall not exceed 40% of the gross floor area of the principal structure. The gross floor area of the ADU shall not be less than 300 square feet.
 - e. The ADU shall be consistent in design and appearance with the primary residence and shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health and any other applicable codes.
 - f. At least **three (3)** off-street parking space(s) shall be maintained on site to accommodate residents of the primary residence and the ADU.
4. This covenant shall be filed and recorded with the Skamania County Auditor so that it will appear as a covenant within the chain of title for the real property described herein.
 5. This Covenant may be enforced by the City in all or any of the following ways, at its option:
 - a. By bringing charges in Skamania County District Court for failure to observe the terms of this Covenant, filing such charges as violations of the zoning ordinance. Penalties to include, but not limited to, a cumulative penalty per violation per day, plus any court and attorney fees and disbursements associated with collection, at trial and on appeal.
 - b. By bringing a civil suit in Skamania County Superior Court for damages or for an injunction or other appropriate relief to enforce the terms of this covenant. In that event, the City shall be entitled to its attorney fees and disbursements at trial and on appeal.
 6. This covenant shall be perpetual for as long as the ADU structure shall exist on the subject property. In the event the ADU structure is removed or destroyed and not replaced within one hundred eighty (180) days, the ADU permit and this covenant shall be null and void.



Approved as to form: Ken Woodrich, City Attorney

City of Stevenson Staff:

Zoning Administrator Date

Notarized Signature of
Property Owner:

[Signature] 5/2/19

Chad William Miller

Date

[Signature]

Sophie A. Miller

5/2/19

Date

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAMANIA)

I hereby certify that I know or have satisfactory evidence that Chad William Miller signed this instrument and acknowledged that he/she/they is/are authorized to execute such, and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 2nd day of May, 2019.

Mary E. Core
Notary's Signature

My appointment expires: 9-19-2022



EXHIBIT 'A'

A tract of land located in Lot 12 of Stevenson Park Addition, according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington, more particularly described as follows:

Beginning at a point marking the intersection of the Westerly right of way line of the county road known and designated as Strawberry Road with the center line of the County road known and designated as Frank Johns Road; thence following the center line of the said Frank Johns Road North $42^{\circ} 44'$ West 189.13 feet; thence North $17^{\circ} 44'$ West 159.87 feet; thence North $19^{\circ} 18'$ West 21.3 feet to the initial point of the tract hereby described; thence North $19^{\circ} 18'$ West 125 feet; thence North $76^{\circ} 40'$ East to the intersection with an unnamed creek and the Northeasterly line of the said Lot 12; thence following the Easterly line of the said Lot 12 in a Southeasterly direction to a point North $76^{\circ} 40'$ East of the initial point; thence South $76^{\circ} 40'$ West to the initial point.

EXCEPT right of way for said Frank Johns Road.