

Skamania County, WA
Total: \$207.50
AGLS
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2023-000347

03/15/2023 02:23 PM

Request of: CITY OF STEVENSON



**RECORDING REQUESTED
BY AND
WHEN RECORDED RETURN
TO:**

City of Stevenson
Community Development
Department
Planning Division -ADU
7121 East Loop Road
PO Box 371
Stevenson, WA 98648

DEED RESTRICTION AND RESTRICTIVE COVENANTS FOR ACCESSORY DWELLING UNIT

This Covenant and Deed Restriction is made and executed on this 16th day of March by and between the City of Stevenson, a municipal corporation (the "City") and Gregory A. Stafford (the "Owner"). The undersigned hereby certify that I/we are the owner(s) of the hereinafter legally described property located in the City of Stevenson (the City), State of Washington, Said property is located at 291 NW Roosevelt St, known as Skamania County Assessor's Parcel (APN) No. 03073624120100 and by the legal description deed (attached as an exhibit herein).

The purpose of this Deed Restriction is to provide notice and disclosure to the current owner and to any subsequent purchaser or transferee of these limitations associated with the approval of the ADU Permit CS-22-093 approving the establishment of an ADU on this lot, that the undersigned hereby acknowledges and agrees, that:

- No Separate Sale or Conveyance. The ADU is not to be sold or otherwise conveyed separately from the primary residence unless the property is legally short platted according to the City of Stevenson municipal code.
- Owner occupancy the Owner of the property must reside in either the primary residence, or the ADU for a period of not less than 6 months of a calendar year.

Covenants to Run with the Land. This deed restriction and covenant will run with the land and will be binding upon all owners, all future owners, their successors, heirs or assigns, and shall continue in effect unless otherwise released by the authority of the City in writing. Any lease of said specified parcels shall be subject to this restriction which is made for the general benefit of the entire community and which shall run with the land. The covenant will be enforceable by remedy of injunctive relief in addition to any other remedy in law or equity.

Amendments. This Agreement may be amended only by a written instrument executed by all the parties hereto or their successors in title, and duly recorded in the real property records of the County of Skamaina County, WA.

Enforcement by City. In the event that the owners, their heirs, assigns, or successors in interest fail to abide by the deed restriction and covenants hereunder, all owners are bound to pay all costs and expenses incurred by the City in securing performance of such obligation, including reasonable attorney's fees and costs.

Recording and Filing. The Owner shall cause this Agreement, and all amendments and supplements to it, to be recorded against the Property in the Official Records of the County of Skamaina.

Severability. If any provision of this Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining portions of this Agreement shall not in any way be affected or impaired thereby.

Property Owner



Date:

03/15/2023

STATE OF WASHINGTON:

)ss.

COUNTY OF SKAMAINA

On 3/15/23, before me, Char Hartley, Notary Public, personally appeared Gregory Stallard, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Washington forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Char Hartley

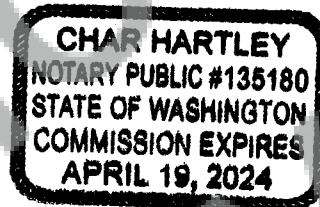


Exhibit A

A tract of land located in ROSELAWN EXTENSION, according to the official plat thereof, on file and of record at page 65 of Book A of Plats, records of Skamania County, Washington, described as follows:

Lots 1, 2, 3, 4, and 5, Block 5 of ROSELAWN EXTENSION aforesaid; and a tract described as follows:

BEGINNING at a point on the East line of Block 4 of said ROSELAWN EXTENSION, 5.20 feet North $36^{\circ}03'31''$ West of the Southeast corner of said Block 4; thence North $36^{\circ}03'31''$ West 126.80 feet to the Northeast corner of Lot 6, Block 4, ROSELAWN EXTENSION; thence North $89^{\circ}48'58''$ East along the South line of Lot 7 of said ROSELAWN EXTENSION 30.85 feet to the True Point of Beginning; thence continuing North $89^{\circ}48'58''$ East 30.85 feet to the West line of Block 5 of said ROSELAWN EXTENSION; thence South $36^{\circ}03'31''$ East along the West line of said Block 5, 96.08 feet; thence South $60^{\circ}09'23''$ West 25.15 feet; thence North $36^{\circ}03'37''$ West 111.44 feet to the True Point of Beginning.

TOGETHER WITH an easement and right of way for an access road and for public utilities over and across Lot 7, of Block 4 of ROSELAWN EXTENSION aforesaid and over and across the North 25 feet of Block 1 of UPPER CASCADES ADDITION, according to the official plat thereof on file and of record at page 69 of Book A of Plats, records of Skamania County, Washington.

EXHIBIT 'A'

A tract of land located in the ROSELAWN EXTENSION according to the official Plat thereof, recorded in Book 'A' of Plats, Page 65 in the County of Skamania, State of Washington, described as follows:

Lots 1, 2, 3, 4 and 5 of Block 5 of the Roselawn Extension aforesaid; and a tract described as follows:

Beginning at a point on the East line of Block 4 of said Roselawn Extension, 5.20 feet North $36^{\circ}03'31''$ West of the Southeast corner of said Block 4; thence North $36^{\circ}03'31''$ West 126.80 feet to the Northeast corner of Lot 6, Block 4, Roselawn Extension; thence North $89^{\circ}48'58''$ East along the South line of Lot 7 of said Roselawn Extension 30.85 feet to the True Point of Beginning; thence continuing North $89^{\circ}48'58''$ East 30.85 feet to the West line of Block 5 of said Roselawn Extension; thence $60^{\circ}09'26''$ West 25.15 feet; thence North $36^{\circ}03'37''$ West 111.44 feet to the True Point of Beginning.

TOGETHER WITH an Easement and Right of Way for an Access Road and for Public Utilities over and across Lot 7 of Block 4 of Roselawn Extension aforesaid and over and across the North 25 feet of Block 1 of Upper Cascades Addition according to the official Plat thereof, on file and of record at Page 69 of Book 'A' of Plats, Records of Skamania County, Washington.

Gary H. Martin, Skamania County Assessor

Date 2-2-05 Parcel # 3-7-26-2-4-1201
G.H.M.

IF YOU HAVE A CLEAR
COPY OF THIS LEGAL, PLEASE
USE THAT