Recording Requested By:

Planning Division City of Marina 209 Cypress Ave Marina, CA 93933

This Notice of Deed Restriction is for the Benefit of the City of Marina and is exempt from recording fees per Gov't Code § 27383

THIS SPACE FOR RECORDER'S USE ONLY

INSTRUCTIONS: After having this form notarized, take it to the City of Marina to be recorded with the Monterey Co. Clerk-Recorder at 168 W Alisal St #1, Salinas, CA 93901

NOTICE OF DEED RESTRICTIONS FOR JUNIOR ACCESSORY DWELLING UNIT (J-ADU)

(Government Code § 27281.5):

THIS DECLARATION OF RESTRICTIVE COVENANTS , 20 , by	("Declaration") is executed on . a	
	Declarant").	
Notice is hereby given that Building Permit #	will authorize the creation and operation	
of an Accessory Dwelling Unit on the property located at	Marina,	
California with an Assessor's Parcel Number of	, and that is further	
described in the attached Exhibit A. Daily penalties may be imposed, pursuant to MMC Chapter 1.12, for		
violations of the applicable ordinance and/or this deed re	•	
contingent upon the property owner, by recordation of th	.	
notifying future property owners of the requirements per		
forth in Government Code Section 65852.2 and 65852.2	, ,	

- No subdivision of land, air rights or condominium is allowed so as to enable the sale or transfer of the J-ADU independently of the main Dwelling Unit, Accessory Dwelling Unit, or other portions of the property;
- The J-ADU shall not exceed 500 sq. ft.;
- The J-ADU shall include a separate entrance from the main entrance to the primary Dwelling Unit;
- The J-ADU shall include an efficiency kitchen with a cooking facility with appliances, a food
 preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU; and
- Rentals of less than 30 days are prohibited in the J-ADU, per MMC Section 17.42.040(A)(3)(j)(c).

The above declarations shall be binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the city's approval of the accessory unit.

OWNER(S) OF RECORD):	
Print Name:	Print Name:	
Signature:	Signature:	
Dated:	_, 20 County of Monterey, State of Califor	rnia
	ORNIA ALL-PURPOSE ACKNOWLEDGMENT (r completing this certificate verifies only the identity of the inc	
	ch this certificate is attached and not the truthfulness, accura	
State of California, County of	of Monterey	
On	_, 20before me,	, Notary Public
personally appeared		, who proved to me on the
basis of satisfactory evidence	ce to be the person(s) whose name(s) is/are subscribe	ed to the within instrument, and
acknowledged to me that he	e/she/they executed the same in his/her/their authorize	ed capacity(ies), and that by his/her/their
signature(s) on the instrume	ent the person(s), or the entity upon behalf of which th	e person(s) acted, executed the
instrument.		
I certify under PENALTY Of correct.	F PERJURY under the laws of the State of California the	hat the foregoing paragraph is true and
	WITNESS my	hand and official seal:
	(Signature of No	otary)

Place Notary Seal Above

EXHIBIT A

Legal Description of the Property

Accessory Dwelling Units require approval of a building permit by the Building Division.

As part of the ADU approval, a deed restriction must be recorded. Prior to final approval of the building permit, Planning staff will collect the completed and notarized deed restriction from the property owner and submit to the City Attorney's Office for review. The City Attorney's Office will review and forward the deed back to Planning to hold until the building permit is finalized. Upon notification by building staff that the building permit has been finalized, Planning staff will submit the deed restriction to the County for recordation.

The following outlines how to fill out the deed restriction document. The responsible party is noted following each step. For questions, contact the City Attorney's Office.

- 1. In introductory paragraph, insert the date that the document is executed. (*Property owners or notary*)
- 2. All holders of title to the Property must sign this document. Insert all names of owners in the introductory paragraph. You will have to ask for the deed to the property or a title report in order to ensure you have the correct names. (*Property Owner based on deed or title report*)
 - <u>Note</u>: Deeds can be viewed or copied in person at the Monterey County Recorder's Office. They cannot be viewed or copied on-line.
- 3. Describe the status of the property owner in the introductory paragraph. For example, "a California corporation," "a single person," "husband and wife," etc. The marital status of the property owner is important because all owners of the property must execute the document. (*Property Owner based on deed or title report*)
- 4. In first paragraph, insert street address and Assessor's Parcel Number. (*Planning staff based on deed or title report*)
- 5. Attach the legal description for the property as Exhibit A. The legal description should be included in or attached to the grant deed for the Property. The legal description can also be found on a title report. If a good copy of the legal description can be made, it can be attached as Exhibit A. Otherwise, the legal description must be retyped verbatim (with no changes). (Property Owner based on deed or title report)
- 6. The signatures must be notarized and the notary acknowledgement attached to the document. The names of the property owners must be typed or handwritten under their signatures. (*Property owner responsibility*)
- 7. The fully executed and notarized document must be given to Planning staff prior to approval of the Building Permit for recording with the Monterey County Recorder's Office. (*Property owner responsibility*)
 - <u>Note</u>: Once received, Planning staff will forward it to the City Attorney's Office for review to make sure everything is accurate. If not, it will be returned for correction. If it is correct, then the City Attorney's Office will send the document back to Planning staff for holding.
- 8. Once the building permit for the accessory dwelling unit has been finalized, Building staff will notify Planning Staff to ask that the deed restriction be recorded. (*Planning Staff*)
- 9. Planning Staff forwards completed deed restriction to Monterey County for recording. (Planning staff)
- 10. With recording, this document becomes a permanent exception to title.