RESTRICTIVE COVENANT REQUIRING OWNER OCCUPANCY FOR ACCESSORY DWELLING UNIT

This restrictive covenant shall be notarized and then recorded with the El Paso County Clerk and Recorder's office. **Please submit this restrictive covenant with the recordation information with any building permit application associated with the Accessory Dwelling Unit (ADU).** The purpose of the restrictive covenant is to enforce the owner-occupancy requirements of City code and to provide notice of City Code requirements to future purchasers of the Property. If the completed restrictive covenant is not submitted as outlined above, City Planning may withhold building permits and/or certificates of occupancy. Those with ADUs not compliant with City Code are liable to Zoning Enforcement action which may include civil actions against the property owner.

This restrictive covenant is required only for ADUs located within the following zone districts: R (Residential Estate), R-1 9000 (Single-Family Residential), or R-1 6000 (Single-Family Residential).

I/We, _____, the Owner(s) of the real property located in the City of Colorado Springs, El Paso County, State of Colorado, described as:

Legal Description (or see attached) (required):_____

Known by (Street Address): _____,
Colorado Springs, CO (the "Property"), agree to be bound by the following restrictions, which shall run with and be binding upon the land:

1. The Owner(s) shall comply with any owner-occupancy requirement set forth in the City Code.
2. The Owner(s) agree to notify prospective purchasers of the Property of the regulations governing ADUs and of the owner-occupancy requirement set forth in City Code and of this restrictive covenant.
3. This restrictive covenant may be enforced by the City of Colorado Springs by an action in law or equity, and may only be released by a written release from the City of Colorado Springs.

_____   _____
Signature(s) of Property Owner   Date

_____
Property Owner Printed Name(s)

STATE OF COLORADO   )
                                                             ss.
COUNTY OF _____   )

Acknowledged before me this _____ day of _____, 20____, by _____
                                                                                                                    [Owner(s)]

Witness by hand and official seal.

My commission expires: _____

                                          _____
                                          Notary Public