RESTRICTIVE COVENANT PROHIBITING SUBDIVISION AND SEPARATE SALE OF 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 restrict the subdivision and sale of an ADU separately from the primary dwelling 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), R-1 6000 (Single-Family Residential), PBC (Planned Business Park), C-6 (General Business), or M-1 (Light Industrial).

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):_____

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

1. The ADU shall not be held in separate ownership from the primary dwelling unless the ADU and primary dwelling are located on separate lots pursuant to a lawful subdivision as provided for in the City Code. Subdivision is subject to the review and approval of a preliminary and final plat.
2. 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 _____

Witness by hand and official seal.

My commission expires: _____

_____

Notary Public