

ACCESSORY DWELLING UNIT RESTRICTIVE COVENANT



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 concurrently with any building permit application associated with the Accessory Dwelling Unit (ADU) or directly to the City's Development Review Enterprise office located within the Pikes Peak Regional**

Development Center at 2880 International Circle, Suite 200-7, Colorado Springs, CO 80910. The purpose of the restrictive covenant is to restrict the sale of an ADU separately from the primary dwelling, 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 (including Section 7.3.105.M) 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: A (Agriculture), 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): _____

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. The Owner(s) shall comply with any owner-occupancy requirement set forth in the City Code.
3. 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.
4. 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