

## DECLARATION OF ACCESSORY DWELLING UNIT COVENANT

This Declaration is made pursuant to The Town of York General Accessory Dwelling Unit Ordinance, adopted November 2, 2004, as it may be amended from time to time (the "York ADU Ordinance"), on the date hereinafter set forth by the undersigned \_\_\_\_\_ hereinafter referred to as the "Declarant."

Declarant is the owner of certain real property located in the Town of York, County of York, and State of Maine, by virtue of a deed dated \_\_\_\_\_ and recorded at the York County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_, a true and complete copy of which is attached hereto and marked as Exhibit A and incorporated herein by reference (the "Real Property").

Declarant has applied to The Town of York, Code Enforcement Office for permission for an accessory dwelling unit pursuant to the York ADU Ordinance, which requires the recording at the York County Registry of Deeds of a covenant such as this Declaration.

Declarant states the Declarant resides on the Real Property and that it is the primary and permanent dwelling place of Declarant excluding temporary absences and temporary stays elsewhere and that said property is Declarant's legal residence. Declarant acknowledges that violations of the York ADU Ordinance, such as the failure of the owner of the Real Property to reside at the Real Property, can result in the loss of the permission for the accessory dwelling unit, and in fines and attorney's fees as may be provided for by statute or ordinance.

Declarant states that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling unit or the principal dwelling by a person who owns the Real Property, and that Declarant will notify a prospective purchaser of the Real Property of the limitations and requirements of the York ADU Ordinance.

Declarant states that the Real Property is and shall be held conveyed subject to this Declaration, which is for the purpose, among others, or complying with the requirements of the York ADU Ordinance.

Declarant states that this Declaration shall be perpetual and constitutes a covenant running with the land and shall be binding upon Declarant, Declarant's heirs, successors and assigns and all persons claiming under the Declarant, and shall be enforceable by the Town of York.

Declarant further states that this Declaration shall not be amended, terminated, or modified in any way without the consent of the Town of York filed in the York County Registry of Deeds.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Witness:

\_\_\_\_\_  
\_\_\_\_\_, Declarant

\_\_\_\_\_  
\_\_\_\_\_, Declarant

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Personally appeared before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, the above named \_\_\_\_\_, and acknowledged the foregoing to be his/her/their voluntary act and deed.

\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_  
My Commission Expires: