RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

CITY OF FOLSOM

City Clerk

50 Natoma Street

Folsom, CA 95630

**Declaration of Restriction**

This Declaration of Restriction is made this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (“Declarant”).

WHEREAS, as the Declarant is the owner of fee title of a certain property in the City of Folsom, County of Sacramento, State of California, commonly known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(address), A.P.N. \_\_\_\_\_-\_\_\_\_\_\_-\_\_\_\_\_ (the “Property”); and

WHEREAS, Declarant has received approval from the City of Folsom to construct a junior accessory dwelling (JADU) unit on this Property pursuant to Chapter 17.105 of the Folsom Municipal Code (the “Code”); and

WHEREAS, Section 17.105.130(G) of the Code requires that the property owner shall reside on the property in either the primary dwelling or JADU as the person’s legal domicile and permanent residence; and

WHEREAS, a restrictive covenant is required to be recorded in the chain of title of the primary single-unit property prior to the issuance of a building permit for the junior accessory dwelling unit, requiring that:

1. the JADU shall not be sold separately from the primary dwelling;
2. the JADU is restricted to the approved size and other attributes allowed in Section 17.105 of the Code; and
3. the deed restriction shall run with the land and shall be enforced against future property owners

NOW, THEREFORE, the Declarant hereby records the Declaration of Restriction requiring that

1. The property owner shall reside on the property in either the primary dwelling or JADU as the person’s legal domicile and permanent residence;
2. The JADU shall not be sold separately from the primary dwelling;
3. The JADU is restricted to the approved size and other attributes allowed in Section 17.105 of the Code; and
4. The deed restriction shall run with the land and shall be enforced against future property owners.

DECLARANT

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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