

**When Recorded Mail To:**

Sonoma County  
Permit & Resource Management Department  
2550 Ventura Avenue  
Santa Rosa CA 95403

SPACE ABOVE FOR RECORDER'S USE ONLY

Permit Sonoma Permit No.: BLD \_\_\_\_\_

**NOTICE AND DECLARATION OF RESTRICTIONS  
JUNIOR ACCESSORY DWELLING UNIT  
Per Sonoma County Code § 26-88-061(i)**

This Notice and Declaration of Restrictions ("Declaration") is made with reference to the following facts:

A. I / We, \_\_\_\_\_

\_\_\_\_\_  
*Names of all property owners of record*

the undersigned Declarant(s), am/are the sole owner(s) of record of that certain real property situated in the County of Sonoma, State of California ("the Property"), known as

\_\_\_\_\_  
*Property Physical Address*

identified as Assessor Parcel Number (APN) \_\_\_\_\_; and more particularly described in the attached **Exhibit A**, which is incorporated herein by reference.

- B. Declarant(s) applied to the Sonoma County Permit and Resource Management Department for Permit No. BLD \_\_\_\_\_ ("Permit") to authorize construction of a Junior Accessory Dwelling Unit on the Property pursuant to Sonoma County Code section 26-88-061.
- C. Declarant(s) desire(s) to enter into and record this Notice and Declaration of Restrictions on the Property to meet the requirements for issuance of the Permit as set forth in Sonoma County Code Section 26-88-061, and to give notice to successors in interest and others who may have an interest in the Property.
- D. Declarant(s) further desire(s) by this instrument to acknowledge that the County of Sonoma has authority to enforce the restrictions declared herein as restrictions running with the land that shall bind Declarant(s) and all successors in interest to the Property.

NOW, THEREFORE, Declarant(s) declare(s) as follows:

1. I/We will abide by all of the requirements and standards of Sonoma County Code Section 26-88-061 (as may be renumbered) as it exists as of the date of this Notice and Declaration. Section 26-88-061 is incorporated herein by reference.
  - (a) Size. The Junior Accessory Dwelling Unit shall not exceed five hundred (500) square feet in floor area. If the bathroom is shared with the remainder of the single-family dwelling, it shall not be included in the square footage calculation.
  - (b) Access. A separate entrance to the junior accessory dwelling unit shall be provided, and interior access to the remainder of the single-family dwelling shall be maintained. Two (2) doors may be installed within one (1) frame for noise attenuation.
  - (c) Kitchen. The Junior Accessory Dwelling Unit shall contain an efficiency kitchen, as defined in Section 26-02-140. The efficiency kitchen must be removed when the Junior Accessory Dwelling Unit use ceases. **Floor plan attached as Exhibit B.**
  - (d) Sanitation. A Junior Accessory Dwelling Unit may include a full bathroom, or the occupant(s) may use a full bathroom inside the remainder of the single-family dwelling.
2. The Junior Accessory Dwelling Unit may not be sold separately from the single-family dwelling within which it is being created, and the Property may not be subdivided in a manner that would permit such separate sale or ownership.
3. No additional Junior Accessory Dwelling Unit may be created or located on the Property.
4. The Junior Accessory Dwelling Unit will not be rented on a transient occupancy basis (periods of less than 30 days).
5. The single-family dwelling must be owner-occupied. The owner may reside in either the Junior Accessory Dwelling Unit or in the remaining portion of the single-family dwelling.
6. The County of Sonoma is hereby designated as beneficiary of this Notice and Declaration, and shall have the right, but not the obligation, to enforce the provisions herein.
7. This Notice and Declaration shall run with the land and be binding upon, and enforceable against, Declarant(s) and all heirs, assigns, future owners, and successors in interest to the Property. If the Property is conveyed to any other person or entity, the instrument that conveys title or any interest in or to said Property, or any portion thereof containing the Junior Accessory Dwelling Unit and its associated single-family dwelling, shall contain a restriction limiting the use of the Junior Accessory Dwelling Unit pursuant to the terms of this Notice and Declaration. If at any time these restrictions are determined by a court of competent jurisdiction not to constitute a covenant running with the land, it is Declarant's intent that these restrictions shall form an equitable servitude on the Property, be binding on Declarant(s) and successors in interest, and remain in effect during the existence of the Junior Accessory Dwelling Unit, including any alteration, modification, replacement, reconstruction, or relocation of the Junior Accessory Dwelling Unit.

The use of the Property contrary to this Declaration shall constitute a violation of the Sonoma County Code and shall be enforceable, at its option, by the County of Sonoma. No modification, release or elimination of these restrictions shall be valid unless notice thereof is recorded in the Official Records of the County of Sonoma by the Director of the Permit and Resources Management Department.

It is the responsibility of Declarant(s) and all successor owner(s) to ensure that the Property is used and maintained in accordance with this Declaration and the Junior Accessory Dwelling Unit Permit. All costs incurred to enforce these restrictions shall be paid by the Property owner(s).

This Notice and Declaration is effective as of the date the Junior Accessory Dwelling Unit Permit is issued for the Property.

DATED: \_\_\_\_\_ By: \_\_\_\_\_  
Signature\*  
\_\_\_\_\_  
Printed Name (*Exactly as Shown on Deed*)

DATED: \_\_\_\_\_ By: \_\_\_\_\_  
Signature\*  
\_\_\_\_\_  
Printed Name (*Exactly as Shown on Deed*)

\*Signatures must be acknowledged by a notary public before recordation.

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

DATED: \_\_\_\_\_ By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name, Title

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA            )  
  ) **ss**  
COUNTY OF SONOMA            )  
  )

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public,  
personally appeared, \_\_\_\_\_ who proved to me on the  
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted, executed the instrument.

**I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.**

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

**Exhibit A**

**Legal Description**

(Insert legal description from deed or specific reference to recorded subdivision map)