



Restrictive Covenant for Accessory Dwelling Unit

Per §14-6.3(D)(1)(i) SFCC 1987

This Covenant is entered into this _____ day of _____, 20____ by and between _____, (Owner), the owner(s) in fee simple of certain property located at and known as _____, Santa Fe County, New Mexico (Property) and the City of Santa Fe, a municipal corporation (City).

The purpose of this Covenant is to provide for the City's enforcement of the accessory dwelling unit standards set forth in City of Santa Fe Land Development Code Section 14-6.3(D)(1), as the same may be amended from time to time, by appropriate legal proceedings, including, without limitation, revocation of certificates of occupancy for accessory dwelling units in violation of §14-6.3(D)(1), in addition to, and not in limitation of, any other rights and remedies available to the City.

In consideration of the City's exemption of the Property from the City's density restrictions pursuant to §14-6.3(D)(1)(c) and upon the issuance of a construction permit for an accessory dwelling unit on the Property, Owner hereby covenants and agrees, intending to bind himself, or itself and all future owners of the Property, to comply with the standards set forth in §14-6.3(D)(1) as the same may be amended from time to time.

Owner, for himself, herself, or itself and all successors and assigns, hereby agrees that any and all requirements of the laws of the State of New Mexico necessary to be satisfied in order for this Covenant to constitute a deed restriction and a covenant that runs with the land, shall be deemed to be satisfied in full and that any requirements of privity of estate are intended to be satisfied, or in the alternative, that an equitable servitude has been created to ensure that this Covenant runs with the land constituting the Property.

This Covenant runs with the land. By signing this document, Owner binds all his or her successors in interest, heirs, and assigns. If the property is owned by more than one individual, all individuals must sign or this document is void; all permits issued hereunder will be revoked and the property will **not** be exempt from the density restrictions of the Land Development Code.

Owner Name

Signature

Owner Name

Signature

NOTARY PUBLIC)

STATE OF NEW MEXICO)

County of _____)

THE FOREGOING instrument was acknowledged before me this _____ day of _____, 20____,
by _____.

NOTARY PUBLIC