

E Murray, Deputy Clerk

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City of Portland
Bureau of Development Services,
Land Use Services Division
Permit File



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08/18/2022 04:01:04 PM

**COVENANT FOR A SINK INSIDE A DETACHED ACCESSORY STRUCTURE THAT
HAS NOT BEEN PERMITTED AS AN ACCESSORY DWELLING UNIT (ADU)**

ADDRESS: 9033 N Park

BUILDING PERMIT APPLICATION NUMBER: 22-11719-000-00-R3

SINK LOCATED WITHIN (Describe the area or room): Detached Accessory Structure

LEGAL DESCRIPTION: Front View, Block 22, Lot 25 and Lot 26

TAX ACCOUNT NUMBER: R243460

Whereas Valerie Merchant & Justin Cook (owner(s)) has applied to the City of Portland (City) for authorization to add a sink in a detached accessory structure which is not being permitted as an ADU.

Whereas Title 33 of the Portland City Code prohibits any use of a detached accessory structure to be used as a dwelling without the appropriate permit and review process, and a "dwelling" contains facilities for cooking, sanitation, and sleeping.

Whereas Title 33 of the Portland City Code defines an Accessory Dwelling Unit as the following:

Accessory Dwelling Unit. An additional dwelling unit created on a lot with a primary dwelling unit. The additional unit is smaller than the primary dwelling unit except when the accessory dwelling unit is in an existing basement. The accessory dwelling unit includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. Kitchens facilities for cooking in the unit are described in Section 29.50.160 of Title 29, Property and Maintenance Regulations. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

NOW, THEREFORE, IT IS AGREED, AS FOLLOWS:

This Covenant for a sink inside a detached accessory structure that is not being permitted as an ADU (Covenant) executed by the City and the Owner(s) in order to ensure that the detached structure, at the above referenced address, remains for the use of the household that is the primary use on the site, until such time that permits are issued, improvements made, and inspections passed that would permit the use of the structure as an ADU, if allowed by the zoning.

This covenant for an additional sink does not provide any right or representation to approval as an ADU. Nothing in this Covenant prevents Owner(s) from seeking permit approval for an ADU at a later time.

This Covenant is to run with the land, shall be binding on Owner(s) and all parties claiming through or under them, and may at any time be specifically enforced by the City unless an instrument executed in writing by the City and Owner(s) has been recorded agreeing to change this Covenant in whole or in part.

Dated this 13 day of August, 2022
Signed Valerie Merchant

(Owner)

Dated this 13 day of August, 2022
Signed Justin Cook

(Owner)

State of Oregon

State of Oregon

County of Multnomah

County of Multnomah

On August 13, 2022 personally
appeared the above named Justin Cook
Roy Cook & Valerie
Michelle Merchant

On _____, 20____ personally
appeared the above named _____

And acknowledged the foregoing instrument to
be a voluntary act and deed.

And acknowledged the foregoing instrument to
be a voluntary act and deed.

Before me: Edwin Ballas
Edwin Ballas

Before me: _____

Notary Public for Oregon

Notary Public for Oregon

My Commission expires:

My Commission expires:

April 20th 2026

