

When Recorded Mail To:
San Mateo County Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

SPACE ABOVE FOR RECORDER'S USE ONLY

Permit County of San Mateo Permit No.: BLD__2021-810_____

**NOTICE AND DECLARATION OF RESTRICTIONS
JUNIOR ACCESSORY DWELLING UNIT**

Per California Government Code Section 65852.22 and San Mateo County Zoning Regulations, County Ordinance Code Section 6425 *et seq.*

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 San Mateo, 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 San Mateo County Planning and Building Department for Permit No. BLD _____ ("Permit") to authorize construction of a Junior Accessory Dwelling Unit on the Property pursuant to California Government Code Section 65852.22 and San Mateo County Ordinance Code Section 6425 *et seq.*
- 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 California Government Code Section 65852.22 and San Mateo County Zoning Regulations Section 6425 *et seq.*, 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 San Mateo 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 California Government Code Section 6585.22 and San Mateo County Zoning Regulations, County Ordinance Code Section 6425 *et seq.* "Second Units" (including any subsequent renumbering of said sections), as they exist as of the date of this Notice and Declaration. California Government Code Section 65852.22 and County Zoning Regulations Section 6425 *et seq.* are 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, independently accessible entrance to the Junior Accessory Dwelling Unit shall be provided. Interior access to the remainder of the single-family dwelling may also be provided. 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 California Government Code Section 65852.22. The efficiency kitchen must be removed when the Junior Accessory Dwelling Unit use ceases.
 - (d) Sanitation. A Junior Accessory Dwelling Unit may include a full bathroom, or if a full bathroom is not provided within the unit, the occupant(s) of the Junior Accessory Dwelling Unit shall be allowed unimpeded access to 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 shall not be rented on a transient occupancy or short-term rental basis (i.e., for periods of less than 30 days).
 - a. One of the units on the Property must be owner-occupied. The owner of the Property shall reside in either the Junior Accessory Dwelling Unit or in the remaining portion of the single-family dwelling.
5. The County of San Mateo is hereby designated as beneficiary of this Notice and Declaration, and shall have the right, but not the obligation, to enforce the provisions herein.
6. 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 San Mateo County Ordinance Code and shall be enforceable, at its option, by the County of San Mateo. No modification, release or elimination of these restrictions shall be valid unless notice thereof is recorded in the Official Records of the County of San Mateo by the Director of the Planning and Building 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 **any and all conditions of associated the Building 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 Building 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.

SAN MATEO COUNTY PLANNING AND BUILDING DEPARTMENT

DATED: _____ By: _____
*Signature**

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.

Printed Name, Title

STATE OF CALIFORNIA)
) **ss**
COUNTY OF SAN MATEO)
)

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)

The Northeasterly 50 feet, front and rear measurements of Lot 20, in Block "B", as shown on that certain map entitled "FAIR OAK ACRES, SAN MATEO COUNTY", filed in the Office of the County Recorder of San Mateo County, on May 4, 1908 in Book 6 of Maps, at Page 12.

