

<p>Recorded at the Request of, and When Recorded Return to:</p> <hr/> <p>Planning and Building Department 455 County Center, 2nd Floor Mail Drop PLN122 Redwood City, CA 94063</p>	<p>For Clerk Use Only</p> <p>Complimentary Recording Requested Pursuant to Government Code 27383</p>
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Permit County of San Mateo Permit No.: BLD\_\_\_\_\_

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

Per California Government Code Section 66333 and San Mateo County Zoning Regulations,  
County Ordinance Code Chapter 8.392 *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 66333 and San Mateo County Ordinance Code Chapter 8.392 *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 66333 and San Mateo County Zoning Regulations Chapter 8.392 *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 66333 and San Mateo County Zoning Regulations, County Ordinance Code Chapter 8.392 *et seq.* "Accessory Dwelling Units" (including any subsequent renumbering of said sections), as they exist as of the date of this Notice and Declaration. California Government Code Section 66333 and County Zoning Regulations Chapter 8.392 *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 66333. 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).
5. 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.

6. 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.
  
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 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.

State of California )  
County of San Mateo )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
a Notary Public, personally appeared SOPHIE MINTIER, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person, or the entity upon behalf of which the person 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 \_\_\_\_\_

**Exhibit A**

**Legal Description**

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