

Recording Requested By:

Land Use Planning Division
City of Berkeley
1947 Center Street, 2nd Floor
Berkeley, CA 94704

THIS SPACE FOR RECORDER'S USE ONLY

INSTRUCTIONS: After having this form notarized, take it to the Alameda Co. Clerk-Recorder at 1106 Madison St., Rm. 101, Oakland, CA 94607

DECLARATION OF RESTRICTIONS ON USE OF A JUNIOR ACCESSORY DWELLING UNIT (JADU):

Notice is hereby given that Building Permit # _____, will authorize the creation and operation of a Junior Accessory Dwelling Unit, on the property located at _____, Berkeley, California, and that is further described below. This deed restriction prohibits use of the building as a Short-Term Rental pursuant to BMC Chapter 23.314 and 23.306.050. The issuance of said building permit is contingent upon the property-owner, by recordation of this declaration of restrictions, acknowledging and notifying future property owners of the requirements pertaining to Junior Accessory Dwelling Units set forth in Government Code Section 65852.2 and 65852.22:

- No subdivision of land, air rights or condominium is allowed so as to enable the sale or transfer of the J-ADU independently of the main Dwelling Unit, Accessory Dwelling Unit, or other portions of the property;
- Owner occupancy is required for the JADU or the primary Dwelling Unit;
- The JADU shall not exceed 500 square feet;
- The JADU shall include a separate entrance from the main entrance to the primary Dwelling Unit;
- The JADU shall include an efficiency kitchen with a cooking facility with appliances, a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU; and
- Short term rentals are not allowed in the JADU, per BMC Section 23.314 and 23.306.050.

This deed restriction may not be removed from this property without the prior written consent of the City of Berkeley.

LEGAL DESCRIPTION:

Land herein referred to is situated in the State of California, City of Berkeley, County of Alameda, and is described as follows: Lot _____, Block _____, Map of _____ Tract, APN _____.

OWNER(S) OF RECORD:

Print Name: _____ Print Name: _____

Signature: _____ Signature: _____

DATED: _____, 20____ County of Alameda, State of California

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT (Civil Code §1189):

A notary 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 _____)

On _____, 20____ before me, _____, personally appeared

_____, 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 of Notary)