

WHEN RECORDED MAIL TO:

City of Tempe
Community Development Dept.
31 E. 5th Street
Tempe, AZ. 85281

PROJECT: Building Permit # BP _____

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS
FOR GUEST QUARTERS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this _____ day of _____, 20____ by [name/s of all property owners], (“Declarants”), with reference to the following facts:

A. Declarants are the fee owners of the real property (the “Property”) situated in the City of Tempe, County of Maricopa, State of Arizona described as follows:

LOT [TYPE LOT NUMBER AND DESCRIPTION] AS SHOWN BY MAP ON FILE IN BOOK [TYPE BOOK NUMBER], PAGE [TYPE PAGE NUMBER], OF MAPS, RECORDS OF MARICOPA COUNTY, ARIZONA.

B. The Property, known as type street address Tempe, Arizona is in the Single Family Residence Zone (“_____”) having a minimum lot size of 8,000 square feet.

C. Declarants proposed to construct an approximately type in square footage square-foot attached/detached guest quarters which has space for a room or sleeping room and a bathroom with shower/tub, toilet and sink and does not provide ingress or egress internally through the main residence. Accordingly, Declarants have filed an application with the City of Tempe (“City”) for the issuance of a building permit to establish the guest quarters on the Property.

D. In the course of issuance of a building permit, Declarants are willing to record a covenant and agreement and declaration of restrictions (“Covenant”) to put future owners on notice that the guest quarters is for the sole use of members of the family occupying the main dwelling or their nonpaying guests and that the guest quarters shall not be rented or leased independently of the main dwelling and is subject to other terms and conditions specified in the City of Tempe Zoning and Development Code.

E. Declarants are willing to record such a Covenant so that the single-family residence and the guest quarters will not mistakenly be used as two dwelling units, as one primary dwelling and as one auxiliary dwelling unit or for commercial or business activity.

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LOT _____ AS SHOWN BY MAP ON FILE IN BOOK _____, PAGE _____, OF MAPS, RECORDS OF MARICOPA COUNTY, ARIZONA.

B. The Property, known as _____ Tempe, Arizona is in the Single Family Residence Zone (“_____”) having a minimum lot size of 8,000 square feet.

C. Declarants proposed to construct an approximately _____ square-foot _____ guest quarters which has space for a room or sleeping room and a bathroom with shower/tub, toilet and sink and does not provide ingress or egress internally through the main residence. Accordingly, Declarants have filed an application with the City of Tempe (“City”) for the issuance of a building permit to establish the guest quarters on the Property.

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