



When Recorded Return To:
City of St. George
Community Development Department
175 East 200 North
St. George, UT 84770

Tax ID:SG-FISH-4-48

**DEED RESTRICTION AND
DECLARATION OF RESTRICTIVE COVENANTS
FOR ACCESSORY DWELLING UNIT**

FISH ROCK, LLC ("Owner(s)"), is/are the owner(s) of certain real property ("Property") located in the City of St. George, Washington County, Utah which Property is more particularly described as:

Legal Subdivision: FISH ROCK 4 (SG) Lot: 48

Owner does hereby acknowledge, declare, and adopt the following restrictive covenants to govern the Property. These restrictive covenants shall run with and bind the Property and shall be enforceable by the City of St. George ("City") or its legal representatives, heirs, successors, and assigns.

WHEREAS, the Property contains an accessory dwelling unit ("ADU"), defined under the City of St. George's ordinances;

WHEREAS, the City has approved an ADU on the Property subject to the conditions set forth in the St. George city code, particularly section 10-17A, and as amended; and

WHEREAS, said ordinances require a recorded deed restriction.

NOW, THEREFORE, Owner declares as follows:

- 1. **Covenant Running with Land.** In consideration of City approval of the ADU, the Owner, for the Owner and all its heirs, successors, and assigns, does hereby covenant and agree to restrict, and does by this instrument restrict, the future use of the Property as set forth herein, by the establishment of this perpetual covenant running with the land.
- 2. **Restrictive Covenants.** The following restrictive covenants shall apply to the Property:
 - a. The accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations;
 - b. The accessory dwelling unit is legal only if:
 - i. The Owner of the Property lives on the Property in either the principal dwelling or the ADU; and
 - ii. An active rental dwelling business license is maintained.
 - c. Short term rental of an ADU is expressly prohibited;
 - d. The total number of residents that reside in an ADU may not exceed the number allowed for a "family" as defined in the St. George city code;
 - e. An additional off-street parking space is required for the ADU. Tandem parking is not allowed for an ADU;
 - f. No ADU is permitted unless the lot or parcel has a principal single family dwelling; and

