

Recording Requested By:

**Land Use Planning Division  
City of Berkeley  
1947 Center Street, 2<sup>nd</sup> 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 AN ACCESSORY DWELLING UNIT (ADU):**

Notice is hereby given that Building Permit # \_\_\_\_\_ will authorize the creation and operation of an Accessory Dwelling Unit on the property located at \_\_\_\_\_, Berkeley, California, and that is further described below. This deed restriction prohibits use of the ADU as a Short-Term Rental pursuant to BMC Chapter 23.314. Except as provided in Government Code Section 65852.26, an ADU may not be sold or otherwise conveyed separate from the primary residence. 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 these requirements. This deed restriction may not be removed from this property without the prior written consent of the Zoning Officer 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: 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)