



# Junior ADU Deed Restriction Instructions

## **Background**

State law and local ordinance only allows the construction of a Junior Accessory Dwelling unit (JADU) when the property owner resides on the property. Before the issuance of a building permit to construct a junior accessory dwelling unit (JADU), the property owner is required to provide a recorded deed restriction to the Community Development Department. The deed restriction is a legal document that requires that the property owner reside on the property, restricts the maximum size of the JADU to 500 SF, and restricts JADU is not to be sold separately from the primary dwelling unit.

## **Deed Restriction Instructions**

1. Obtain the city approved deed restriction template. It may be found at the Community Development Counter at City Hall or on the Community Development Department webpage.
2. Complete the deed restriction with the following information:
  - Name of property owner of record - List the names of the property owner(s) as they appear on the property grant deed or other vesting deeds.
  - Property Address - The address of the property where the JADU will be located.
  - Assessor's Parcel Number (APN)- APN of the property where the JADU will be located
  - Legal Description (Exhibit A)- On a separate page labeled "Exhibit A" provide the legal description of the property where the JADU will be located. Must match the legal description found on the grant deed for the property.
3. All owners of record must sign the deed restriction. Signatures must be notarized by a notary and include a notary acknowledgement.
4. Take the original notarized deed restriction with one (1) photocopy to the County Clerk-Recorder's Office, located at 940 W. Main Street, Suite 202 El Centro, CA 92243. Inform Clerk-Recorder's office you would like to record a deed restriction for your property and you would like a Conformed Copy. A recording fee will apply as determined by the Clerk-Recorder's Office Staff.
5. Submit the Conformed Copy to the Community Development- Building and Safety Division as evidence that the deed restriction has been recorded. Also provide a copy of the grant deed for the property. Staff will review the deed restriction and compare it with the information on the grant deed. A Building Permit for a JADU cannot be issued until the Conformed Copy has been received.