

Covenant & Agreement to Hold Property as One with No Rights – Complete Packet

Documents Include:

- 1. CMOD Packet Cover Page
- 2. Directions and a City of Phoenix Template for a Covenant & Agreement to Hold Property as One with No Rights

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COVENANT & AGREEMENT TO HOLD PROPERTY AS ONE WITH NO CONVEYANCE RIGHTS DIRECTIONS AND SAMPLE TEMPLATE AGREEMENT

Use of a Covenant to Hold Property as One Building Site with $\underline{\text{No}}$ Conveyance Rights requires a modification to the Building Code.

Instructions:

- A code modification request for a covenant to hold property as one must be conceptually reviewed by the Planning & Development IBC Technical Lead prior to submitting application packet.
- On the following pages, there is a sample notary covenant to hold property as one agreement that you
 may use as a template for your agreement. If replicated, do not change any of the agreement language or
 restrictions. Include the following:
 - Covenant to hold as one agreement:
 - Prior to submitting CMOD application, grantor and grantee must sign and have signatures notarized on the agreement
 - Include property addresses, Assessor's Parcel Numbers, and metes and bounds legal descriptions of the parcels; <u>sealed by an Arizona Licensed civil engineer or surveyor.</u>
 - On the exhibit pages:
 - Include a simple drawing of the parcel(s) and the associated APN's
- 3. Once the covenant agreement is signed and notarized by both the grantor and grantee:
 - Apply online for a Building Code Covenant type code modification at <u>Shape PHX Customer Portal shapephx.phoenix.gov/s/</u>
 - · Upload the covenant agreement and supporting documents as part of your evidence
- 4. Once submitted and the application review results in a recommendation of "Approved", the building official will apply their notarized signature to the non-build easement agreement. Thereafter, the covenant agreement and its supporting documents will be returned to the applicant for recording with Maricopa County.
- 5. After recording, the applicant emails the recorded documents to pdd.building.official@phoenix.gov within (5) days
- 6. Once the recorded copies have been received, the code modification application will be finalized and returned to the applicant.

COVENANT & AGREEMENT TO HOLD PROPERTY AS ONE WITH NO CONVEYANCE RIGHTS

Code Modification Application Number:

(Planning & Development Staff Use Only)

DO NOT REMOVE

This is part of the official recordation document



COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL WITHOUT CONVEYANCE RIGHTS

The undersigned hereby certifies that (I) we are the owners of the real property located in the city of Phoenix, County of Maricopa, State of Arizona, more particularly described on **Exhibit A**. The address of the property is and Assessor's Parcel Number (APN) is For the purpose of holding the property as one parcel as regulated by Section 104.12.1.2 of the city of Phoenix Building Construction Code, I(we) do hereby covenant and agree with said city that the legally described property as shown on Exhibit A shall be held as one parcel and no portion shall be conveyed separately. This Covenant and Agreement shall run with the land and be binding upon ourselves, all future owners, encumbrances, their successors, heirs and assignees; and shall continue in effect until such time that the city of Phoenix Building Construction Code unconditionally permits the use of purpose herein above referred to or unless otherwise released by the authority of the Building Official of the city of Phoenix. Dated this _____, 20_____ (Print) (Signed) (Signed) (Print) STATE OF ARIZONA))SS County of Maricopa The foregoing instrument was acknowledged before me this ____ day of ______ 20___, My commission expires: (Notary Signature) FOR DEPARTMENT USE ONLY (City of Phoenix Planning & Development Department) STATE OF ARIZONA) County of Maricopa By: City of Phoenix Building Official The foregoing instrument was acknowledged before me this ____ day of ______ 20___.

(Notary Signature)

My commission expires:

EXHIBIT A

Metes and Bounds Legal Description of Grantor's Property signed and sealed by an Arizona licensed civil engineer or surveyor

•	Attach a simple drawing showing the parcels and APNs	 Brawing does not require a professional
	seal.	

Grantor APN number:	
Grantor Address:	