



## **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



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

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

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**Use of a Covenant to Hold Property as One Building Site with No Conveyance Rights requires a modification to the Building Code.**

Instructions:

1. 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.
2. 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; sealed by an Arizona Licensed civil engineer or surveyor.
  - 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 [Shape PHX Customer Portal – shapephx.phoenix.gov/s/](https://shapephx.phoenix.gov/s/)
  - 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](mailto: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

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Code Modification Application  
Number:

\_\_\_\_\_  
(Planning & Development Staff Use Only)

**DO NOT REMOVE**

This is part of the official recordation document



# 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. Drawing does not require a professional seal.

Grantor APN number: \_\_\_\_\_

Grantor Address: \_\_\_\_\_

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