

WHEN RECORDED, RETURN TO:

Fruit Heights City Recorder
910 S Mountain Rd

Fruit Heights City, Utah
84037

Parcel No(s): _____

INTERNAL ADU OWNER OCCUPANCY AFFIDAVIT

I/we are the property owner(s) of record of property located at _____, Fruit Heights, Utah 84037, as more particularly set forth in the legal description set forth in Exhibit A, attached hereto and incorporated herein by reference (“Property”). I/we understand that any person or entity listed as the property owner of record for the Property must sign this Owner Occupancy Affidavit.

I/we have applied for and intend to receive approval from Fruit Heights City to construct or use part of my/our single-family home as an Internal Accessory Dwelling Unit (“Internal ADU”) in accordance with applicable Fruit Heights City ordinances. I/we understand that this Owner Occupancy Affidavit shall be recorded against the Property.

I/we agree to comply with all terms and conditions of the Internal ADU permit or license issued by Fruit Heights City and hereby represent and agree to the following:

- I/we confirm the Internal ADU on the Property will be used solely for the purpose of offering a long-term rental of at least 30 days or more to any occupant of the Internal ADU.
- I/we acknowledge a property owner of record with at least a 50% interest in the Property will occupy either the primary single-family dwelling or Internal ADU for six months of each calendar year, except where a “temporary owner absence waiver” is granted in accordance with Fruit Heights City ordinances.
- I/we acknowledge if I/we, as property owner(s) of record of the Property, are unable or unwilling to fulfill the requirements for use of an Internal ADU, then I/we agree to remove one or more features that constitute an Internal ADU, including but not limited to living areas, sleeping areas, or kitchen facilities, and electrical, gas, or plumbing improvements. I/we further agree to terminate, in writing, the Internal ADU permit or license and approval.
- I/we acknowledge the Internal ADU permit, or license and this Owner Occupancy Affidavit shall run with the land and be binding upon all owners, heirs, and assigns, and

upon all parties acquiring any right, title, or interest in the Property.

- I/we acknowledge and agree that I/we, and my/our heirs, successors, and assigns will inform all prospective purchasers of the Property of the terms and conditions of the permit or license authorizing the Internal ADU on the Property.

IN WITNESS WHEREOF, I/WE ATTEST THAT THE FOREGOING INFORMATION IN THIS OWNER OCCUPANCY AFFIDAVIT IS TRUE AND ACCURATE AND I/WE AGREE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS OWNER OCCUPANCY AFFIDAVIT AND ALL APPLICABLE FRUIT HEIGHTS CITY ORDINANCES REGARDING THE INTERNAL ADU ON MY/OUR PROPERTY.

Property Owner

Printed Name: _____

Property Owner

Printed Name: _____

PROPERTY OWNER'S ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On the _____ day of _____, 20_____, personally appeared before me _____, the signer of the foregoing instrument who duly acknowledged that (s)he executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

PROPERTY OWNER'S ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On the _____ day of _____, 20_____, personally appeared before me _____, the signer of the foregoing instrument who duly acknowledged that (s)he executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:
