

Declaration of Covenants and Restrictions, Resolution Accepting (Alternative Form)

RESOLUTION ACCEPTING DECLARATION OF
COVENANTS AND RESTRICTIONS FROM
[NAMES OF DECLARANTS]

WHEREAS, [names of Declarants] (hereinafter the “Declarants”) are the fee owners of the property described more particularly on Exhibits attached to the Declarations of Covenants and Restrictions attached hereto and presently designated by Tax Map Nos. [nos.], and

WHEREAS, the Declarants seek to have the subject premises rezoned from [Zoning District] to [Zoning District] to permit the operation of a [describe desired use of premises] on Tax Map Parcel No. [no.], and

WHEREAS, Declarants have discussed with the [Governing Body] the possible limiting of said use to only Tax Map Parcel No. [no.] and continuing the residential use of Tax Map Parcels Nos. [nos.], and

WHEREAS, the Declarants deem it advisable and for their best interest and for the [City/Village/Town] of [name of City/Village/Town] as a whole that certain covenants and restrictions be placed upon the said real property with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the said [City/Village/Town],

NOW, THEREFORE, BE IT RESOLVED by the [Governing Body] of the [City/Village/Town] of [name of City/Village/Town] in regular session duly convened, as follows:

1. The [Governing Body] does hereby approve the contents of the attached Declarations of Covenants and Restrictions.
2. So long as Declarants comply with the provisions of the attached Declarations they shall be deemed in compliance with the provisions of the [City/Village/Town] of [name of City/Village/Town] Zoning Ordinance.
3. Any violation by Declarants of full compliance with said Declarations shall be actionable by the [City/Village/Town] by injunction proceedings or by other appropriate remedy.
4. The [City/Village/Town] Clerk is hereby directed to record such Declarations in the [name of County] County Clerk’s Office to give due notice of the same to any prospective purchaser of said premises.
5. This resolution shall take effect immediately.