



**MULTNOMAH COUNTY**  
 LAND USE & TRANSPORTATION PROGRAM  
 1600 SE 190<sup>TH</sup> AVENUE, SUITE 116  
 PORTLAND, OREGON 97233-5910  
 503-988-3043 Fax: 503-988-3389  
<http://www.multco.us/landuse>

**Real Covenant and Agreement – Notice of Zoning Compliance**

**– Abandonment of Accessory Alternative Energy Production System –**

I/We, \_\_\_\_\_ (print), the owner(s) of property (hereafter “Owners”) located at \_\_\_\_\_ (address of property), with such location legally described as \_\_\_\_\_ (legal description of property) (hereafter “Property”), have obtained authorization, subject to ongoing regulations, requirements and conditions of approval, from Multnomah County (hereafter “County”) to establish or improve an Accessory Alternative Energy Production System with a cumulative installed capacity rating of 12KW or less on the Property.

Pursuant to and in satisfaction of said regulations, requirements and conditions of approval and in consideration for said authorization by County, the Owners hereby covenant and agree with County:

- 1) To remove the Accessory Alternative Energy Production System if the system is abandoned, which is understood to occur when the system remains unused for its intended purpose as established by County’s authorization therefore for 365 consecutive days.**
- 2) That County holds the right to enforce the covenants and agreements herein pursuant to the provisions for enforcement in the Multnomah County Code and as otherwise allowed by law.**
- 3) That the covenants and agreements herein shall run with the land and shall be binding on all parties having or acquiring any right, title or interest in the Property.**
- 4) That if any provision of this covenant and agreement is found to be unenforceable in any respect, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.**

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**IT IS SO COVENANTED AND AGREED:**

OWNER

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Printed Name]

Dated: \_\_\_\_\_

State of Oregon            )  
  ) ss.  
County of Multnomah    )

On \_\_\_\_\_, 20\_\_\_\_, personally appeared the above name \_\_\_\_\_  
and acknowledged the foregoing instrument to be a voluntary act and deed.

Before me:

\_\_\_\_\_ Notary Public of Oregon

My commission expires: \_\_\_\_\_

**MULTNOMAH COUNTY**

\_\_\_\_\_

Dated: \_\_\_\_\_

Karen Schilling  
Planning Director  
Land Use and Transportation Program  
Department of Community Services  
Multnomah County

State of Oregon            )  
  ) ss.  
County of Multnomah    )

On \_\_\_\_\_, 20\_\_\_\_, personally appeared the above name \_\_\_\_\_  
and acknowledged the foregoing instrument to be a voluntary act and deed.

Before me:

\_\_\_\_\_ Notary Public of Oregon

My commission expires: \_\_\_\_\_

## **Instructions for Completion of Covenant**

1. This form is used when an Accessory Alternative Energy Production System is approved on a property. The purpose of this covenant is to give assurance that the use will continue or will be removed if abandoned to prevent a visual blight and the associated affects on surrounding properties.
2. Applicant(s) must complete each detail of the form.
3. The form must be signed before a notary public by the deed owners and/or contract purchasers.
4. The form must also be signed by the Planning Director before it is recorded.
5. The signed and notarized covenant must be recorded by the applicant in the County Deed Records, 501 SE Hawthorne Blvd. Rm 158, Portland. The County Recorder's phone number is 503-988-3034.
6. Prior to land use approval for a building permit, a copy of this covenant with the County Recording verification and plans must be filed with Multnomah County Planning.