

Instructions: Release of Covenant for Owner Occupancy - do not submit this page

Who should fill in this form?

Accessory dwelling unit (ADU) owners used to be required to live on site as a condition of adding an ADU to one's property. This is no longer required. At that time, as a condition of building an ADU, they were required to record a Covenant for Owner Occupancy. Such covenants or encumbrances can be considered a "cloud on title" and may continue to affect the property unless the owner records a release of the covenant.

To release the covenant, you must record a "release of covenant" on the property at the Whatcom County Auditor's Office. You may use this form to draft your document for recording.

Form Instructions - Read Carefully Before Proceeding

Formatting the form

1. You must comply with the Recording Requirements found at whatcomcounty.us/238/Recording-Requirements.
2. Include a 1-inch border on all four sides of each page, and a 3-inch border at the top of the first page. This fillable pdf form is formatted to meet these requirements, but you will need to be sure to check your printer settings before printing.

Filling in the form

1. Fill this in with a computer and be sure your text color is black.
2. Be sure to refer to the following "Instructions" pages to correctly fill in the form fields.
3. Fill in and submit all pages of this form (the last three pages of this document).
4. The signature page must be signed in the presence of a notary.

Submitting the form

1. After you fill in the form, print it.
 - a. Exclude all "Instructions" pages.
 - b. Be sure your printer settings comply with [Recording Requirements](#) for margins and others.
2. The signature page must be signed in the presence of a notary public.
3. Hand deliver the printed form to the Whatcom County Auditor's Office located at 311 Grand Ave, Suite 103, Bellingham, WA 98225, for recording (or see the Auditor's Office website for e-recording procedures).
4. A recording fee will be required. Learn more on the [Whatcom County Auditor's website](#).

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The underlined text on the next three “Instructions” pages describes the information you will need to enter into form fields.

DOCUMENT TITLE: *Release of “Covenant for Owner Occupancy”*

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

Enter the City of Bellingham ADU permit number and Whatcom County Auditor file number for the original covenant to be released (separate with a comma).

GRANTOR(S): Enter the full legal names of all current owners

GRANTEE(S): *City of Bellingham*

PROPERTY KNOWN AS: For the subject property, provide the complete street address for the primary residence

ABBREVIATED LEGAL DESCRIPTION: For the subject property, provide the abbreviated legal description. If you need help finding this information, you may call the Whatcom County Assessor’s Office or your title company.

ADDITIONAL LEGAL DESCRIPTION ON *Exhibit A* **OF DOCUMENT.**

ASSESSOR'S PROPERTY TAX PARCEL OR ACCOUNT NUMBER(S):

For the subject property, the Whatcom County Assessor’s 16-digit Geo Parcel number.

The Covenant for Owner Occupancy entered into as a condition of applying for a permit for an Accessory Dwelling Unit (ADU) is released, for the reasons below. This Release concerns only the specific project permit numbered Enter the City of Bellingham ADU permit number provided above in Bellingham Planning & Community Development Department records. Release of this covenant does not change or alter the established use of the ADU on the property.

Copy and paste one of these three options that applies to you (do NOT copy the bullet at the beginning):

- Owner occupancy is no longer required by Bellingham’s Land Use Code per Ordinance 2025-12-035 (effective 12/23/2025)
- Accessory dwelling unit was not completed
- Property remains a single-family dwelling unit

The Covenant for Owner Occupancy was recorded with the Whatcom County Auditor’s Office under recording number Enter the Whatcom County Auditor file number provided above and may appear during any title search of the property. Therefore, this Release should be recorded to ensure a clear title to this property.

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Only the first two “name” fields should be filled in with a computer. The rest of the information must be filled in by, or in the presence of, a Notary Public. If there is more than one owner, create a separate page for each owner.

EXECUTED this Requires notary day of Requires notary 20 .

Sign in presence of notary
Enter the full legal name of current
property owner.

STATE OF WASHINGTON)
) SS
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that Enter the full legal name of current
property owner signed this instrument and acknowledged it to be their free and voluntary act
for the uses and purposes mentioned in the instrument.

(Seal or stamp)

Requires notary
DATE

Requires notary
SIGNATURE OF NOTARY PUBLIC

Requires notary
NAME PRINTED

Requires notary
TITLE

Requires notary
DATE APPOINTMENT EXPIRES

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EXHIBIT A TO RELEASE OF COVENANT FOR OWNER OCCUPANCY
COMPLETE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO RELEASE:

LEGAL DESCRIPTION: For the subject property, provide the full legal description. If you need help finding this information, you may call the Whatcom County Assessor's Office or your title company.

Planning & Community Development Department
210 Lottie Street
Bellingham, WA 98225
(360) 778-8300

DOCUMENT TITLE: *Release of "Covenant for Owner Occupancy"*

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

GRANTOR(S):

GRANTEE(S): *City of Bellingham*

PROPERTY KNOWN AS:

ABBREVIATED LEGAL DESCRIPTION:

ADDITIONAL LEGAL DESCRIPTION ON *Exhibit A* **OF DOCUMENT.**

ASSESSOR'S PROPERTY TAX PARCEL OR ACCOUNT NUMBER(S):

The Covenant for Owner Occupancy entered into as a condition of applying for a permit for an Accessory Dwelling Unit (ADU) is released, for the reasons below. This Release concerns only the specific project permit numbered _____ in Bellingham Planning & Community Development Department records. Release of this covenant does not change or alter the established use of the ADU on the property.

The Covenant for Owner Occupancy was recorded with the Whatcom County Auditor's Office under recording number _____ and may appear during any title search of the property. Therefore, this Release should be recorded to ensure a clear title to this property.

EXECUTED this _____ day of _____ 20_____.

STATE OF WASHINGTON)
) SS
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that _____
signed this instrument and acknowledged it to be their free and voluntary act for the uses and
purposes mentioned in the instrument.

DATE

(Seal or stamp)

SIGNATURE OF NOTARY PUBLIC

NAME PRINTED

TITLE

DATE APPOINTMENT EXPIRES

EXHIBIT A TO RELEASE OF COVENANT FOR OWNER OCCUPANCY
COMPLETE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO RELEASE:

LEGAL DESCRIPTION: