
RECORDING THE OWNER OCCUPANCY COVENANT FOR ACCESSORY DWELLINGS

For internal accessory dwelling units, the property owner must occupy either the home or the accessory dwelling unit (ADU) as their primary place of residence, per section 537.110 of the Minneapolis zoning code regulations. As part of the ADU zoning approval process, the owner(s) must sign, notarize, and record an owner-occupancy covenant with the Hennepin County recorder. A copy of the recorded covenant and receipt from Hennepin County must be returned to CPED before we may issue the permit for the ADU. **Recording is required to finalize the internal ADU approval before any building permits may be issued, or before the use of the ADU may commence.**

- 1) **Print the covenant document single-sided and leave the pages unstapled.** Minnesota Statutes Section 507.093 requires specific formatting for recordable documents. Please use the recordable covenant documents provided by CPED to ensure that the documents comply with the formatting standards.
- 2) **Fill out the covenant form.** Please print clearly in black ink or type in a font that is 8 pt. or larger.

Legal Description

You can find the legal description of your property on a survey, deed, or certificate of title. For assistance, please contact Hennepin County Taxpayer Services Division: <http://www.hennepin.us/residents/property/property-information-search> or call the Hennepin County at (612) 348-3011 with the street address or Property Identification Number (PIN). CPED is not responsible for reviewing the legal description for accuracy.

Write down the legal description on the first line of page 1 of the form; attach a separate form if there is not enough room.

Owner signatures

Fill in the first and last name of all owners on page 1 of the covenant form. At least one owner must sign the bottom of the page in the presence of a Notary Public, and have the Notary complete the affidavit on page 2. For multiple owner signatures, you may make copies of the affidavit and have the Notary complete them, as needed.

- 3) **Record the covenant document with Hennepin County.**

Property Type

Identify if your property is Abstract or Torrens. If you do not know if the land is Abstract or Torrens, call the Hennepin County Torrens Filing Information Line at (612) 348-5139 with the legal description or Property Identification Number (PIN) or search the Hennepin County website at www.hennepin.us and select Property Information Search under Online Services.

Hennepin County Government Center (300 S. 6th Street, Minneapolis, MN, 55487-0055) Skyway level or Fifth Floor
Bring the unstapled covenant document pages to Hennepin County for recording either in the Skyway Level or on the 5th Floor (A-500) of the Hennepin County Government Center (300 S. 6th Street) in downtown Minneapolis. Documents relating to Torrens property must be filed with the Hennepin County Registrar of Titles, while documents relating to Abstract property must be filed with the Hennepin County Recorder. The County will charge a fee for recording documents.

For the most up-to-date instructions, please refer to <https://www.hennepin.us/residents/property/real-estate-recording-information#conventional-erecording-information> and/or contact Hennepin County at recordinginfo@hennepin.us or (612) 348-5139

- 4) **Bring proof of recording to CPED.** Return a copy of the receipt and recorded document with recording number stamp to your planner at CPED to receive your permit. M-F, 8 a.m. to 4:30 p.m.