

DEED RESTRICTION RE: TRANSFER OF LAND COVERAGE

WHEREAS, ANDREW VERIS AND VICTORIA L. VERIS HUSBAND AND WIFE, are the owners of Lot 16 (APN# 07-491-11) Block C, and , WILLIAM K. KOLSTAD, JR. AND SHELBY KOLSTAD, AND JOHN L. SHIGLEY AND LINDA R. SHIGLEY are the owners of lot 11 (APN# 07-492-09) Block D, as shown on the map entitled GRANITE SPRINGS UNIT NO. 2, recorded July 8, 1980, in Book 780 of official records at page 409, Douglas County, Nevada as Document No. 46019; and

WHEREAS, on July 8, 1980, a subdivision map was recorded which created the hereinabove referenced parcels, which subdivision map was recorded as Document No. 46019 in Book 780 at page 409 of the records of Douglas County, Nevada; and

WHEREAS, said subdivision map assigned land coverages to Lots 11 and 16 hereinabove described; and

WHEREAS, lot 11 was assigned 2,560 square feet of land coverage and lot 16 was assigned 2,610 square feet of land coverage; and

WHEREAS, VERIS', KOLSTADS, AND SHIGLEYS are desirous of transferring 390 square feet of coverage from lot 11 to lot 16, contingent upon T.R.P.A. approval of the same, upon terms and conditions herein set out; and

WHEREAS, the above real properties are located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 96-551, 94 Stat.3233, 1980), which region is subject to the regional plan adopted by the Tahoe Regional Planning Agency (TRPA) pursuant to the Compact; and

WHEREAS, TRPA has approved the transfer of coverage from Lot 11 to Lot 16 on July 20, 1993, conditioned on the retirement of 390 square feet of coverage from Lot 11 pursuant to Chapter 20 of the TRPA Code of Ordinances,

NOW, THEREFORE, for valuable consideration, ANDREW VERIS AND VICTORIA L. VERIS, WILLIAM K. KOLSTAD, JR. AND SHELBY KOLSTAD, AND JOHN L. SHIGLEY AND LINDA R. SHIGLEY do as follows:

1. 390 square feet of land coverage assigned to Lot 11, hereinabove described, pursuant to the aforementioned subdivision map is hereby assigned to Lot 16, hereinabove described.
2. Lot 16, from and after the date hereon, shall have 3,000 square feet of land coverage by reason of the transfer of 390 square feet of coverage from Lot 11 and from the amount available to Lot 11 pursuant to the subdivision map hereinabove referred to.

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3. From and after the date hereon Lot 11 (APN# 07-492-09) shall be deemed to have permanently transferred 390 square feet of land coverage assigned to it by the subdivision map recorded as Document 46019 and shall be recognized as having a remaining coverage assigned to it of 2,170 square feet and as having one residential development right banked thereon for future use thereon or for transfer to another parcel as approved by TRPA. Lot 11 shall not be eligible for transfer back of land coverage pursuant to TRPA Code, Subparagraph 20.3.C(3).

4. This declaration shall be deemed a covenant running with the land, or as an equitable servitude, as the case may be, and shall constitute benefits and burdens to the parcels described above and shall be binding on the declarants and declarant's assigns and all persons acquiring or owning any interest in the above described parcels.

5. This declaration may not be modified or revoked without the prior express written and recorded consent of TRPA or its successor agency, if any. TRPA is deemed and agreed to be a third party beneficiary of this declaration and as such can enforce the provisions of this declaration.

IN WITNESS WHEREOF, the parties hereto have executed this document the day and year hereinafter written.

Approved as to form:

TAHOE REGIONAL PLANNING AGENCY

By: Susan E. Scholley  
Susan E. Scholley, Esq.

DATED: 8-16-93

Andrew Veris  
ANDREW VERIS

DATED: 8-16-93

Victoria L. Veris  
VICTORIA L. VERIS

**ACKNOWLEDGEMENT**

STATE OF CALIFORNIA )  
 :  
 COUNTY OF EL DORADO ) SS.

On the 17<sup>th</sup> day of August, 1993, personally appeared before me, a Notary Public, in and for said County and State, VICTORIA L. VERIS, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that they executed the same, freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State above-named, the day and year in this certificate first above written.



*[Handwritten Signature]*

Notary Public

**ACKNOWLEDGEMENT**

State of California )  
 County of EL Dorado )

On August 18, 1993 before me, D. MUSSER  
 personally appeared William K. Kolstad Jr, Shelby Kolstad, John L. Shigley and Linda R. Shigley

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person (s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature (s) on the instrument the person (s) or the entity upon behalf of which the person (s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *[Handwritten Signature]*

FORM #1069A



DATED: 8-17-93

*William K. Kolstad, Jr.*  
WILLIAM K. KOLSTAD, JR.

DATED: 8-17-93

*Shelby Kolstad*  
SHELBY KOLSTAD

DATED: 8-17-93

*John L. Shigley*  
JOHN L. SHIGLEY

DATED: 8-17-93

*Linda R. Shigley*  
LINDA R. SHIGLEY

**ACKNOWLEDGEMENT**

STATE OF CALIFORNIA )  
                                  : SS.  
COUNTY OF EL DORADO )

On the 17<sup>th</sup> day of August, 1993, personally appeared before me, a Notary Public, in and for said County and State, ANDREW VERIS, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that they executed the same, freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State above-named, the day and year in this certificate first above written.

*D. Musser*  
Notary Public



REQUESTED BY  
PACIFIC TITLE INC.  
IN OFFICIAL RECORDS OF  
DOUGLAS COUNTY, NEVADA

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SUZANNE BEAUCHEAU  
RECORDS  
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