

Gilbert, J. Macagno
1175 East Reno, Suite # C7
Las Vegas, Nv. 89119.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

This deed restriction is made this 16th day of July, 1992, by Joan Winchell (hereafter "Declarant").

RECITALS

1. Declarant is the owner of certain real property located in Douglas County, State of Nevada, described as follows:
Lot 24, Uppaway Estates, Assessor's Parcel Number 01-100-56 (Douglas County)
2. The certain real property is 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 and ordinances adopted by the Tahoe Regional Planning Compact.
3. The declarant has received approval from TRPA to construct metal grate decks.
4. TRPA requires that all metal grates on the property shall not be modified in any way without prior written consent of TRPA.

DECLARATIONS

Declarant hereby declares that, for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, the metal grate decks on this property do not calculate as land coverage, and that any modification of said structures requires the prior written consent of TRPA.

This declaration shall be effective if, and only if, the metal grate decks approved by TRPA are in fact installed and if Declarant does not install said metal grate decks, then this declaration shall be void and Declarant may record notice thereof without the consent of TRPA.

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 declarant and declarant's assigns and all persons acquiring or owning any interest in the above-described parcels.

This declaration may not be modified or revoked without the prior express written and recorded consent of the Tahoe Regional Planning Agency or its successor agency, provided, however, that in the event that applicable TRPA ordinances shall permit the modification of said structures without the prior written and recorded consent of TRPA, or TRPA, or a successor agency, shall no longer exist and have jurisdiction in the premises, then this declaration shall thereupon be revoked and Declarant shall be authorized to record a revocation hereof with or without the consent of TRPA or any successor agency. 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, declarant has executed this declaration on the day and year written above.

Approved as to form:

STATE OF NEVADA)
COUNTY OF DOUGLAS)



Rick Angelocci

Rick Angelocci
Tahoe Regional Planning Agency
Joan Winchell
Joan Winchell

On this 17th day of July, in the year 1992, before me, Karen Lee Sarratea, Notary Public personally appeared Joan Winchell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that she executed it.

WITNESS MY HAND AND OFFICIAL SEAL

Karen Lee Sarratea


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STATE OF NEVADA)
)
) SS.
COUNTY OF DOUGLAS)

On this 15th day of July, 1992, before me, personally appeared Rick Angelocci, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Janice McClure
NOTARY PUBLIC

 JANICE MCCLURE
NOTARY PUBLIC - NEVADA
DOUGLAS COUNTY
My Appointment Expires Sept. 24, 1994

REQUESTED BY
Gilbert Macagno
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

94 MAR -3 P2:54

SUZANNE BEAUDREAU
RECORDER
\$ 8.00 PAID K2 DEPUTY

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