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**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 1038  
Zephyr Cove, Nevada 89448

✓ **WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency  
Post Office Box 1038  
Zephyr Cove, Nevada 89448  
Attn: Jim Lawrence, Associate Planner

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**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR COVERAGE ASSIGNMENT ("DEED RESTRICTIONS")**

This Deed Restriction is made this 14<sup>TH</sup> day of May, 1996, by Gil and Gail Linsley, husband and wife, (hereinafter "Declarants").

**RECITALS**

1. Declarants are the owners of certain real property located in Douglas County, State of Nevada, described as follows:

Beginning at the one-quarter section corner common to Sections 34 and 27, Township 14 North, Range 18 East, M.D.B.&M., thence south 0°28'52" west along said one-quarter section line a distance of 360.00 feet to a point; thence north 89°42'34" west along the north boundary of the parcel conveyed to Joe Hozempa, by deed recorded October 3, 1938, in Book V of Deeds at page 103, Douglas County, Nevada Records a distance of 700.00 feet to the point of beginning; thence continuing north 89°42'34" west, a distance of 92.10 feet to a point; thence south 0°17'26" west a distance of 120.00 feet to a point on the south line of the parcel conveyed to Joe Hozempa; thence south 89°42'34" east along said property line a distance of 92.10 feet to a point; thence north 0°17'26" east a distance of 120.00 feet to the point of beginning, as recorded on January 8, 1992 in Book 192 on Page 837 and in Document No. 268606 in Douglas County Recorder's Office, and having Assessor's Parcel Number 03-150-03 (hereinafter "Sending Parcel").

2. The Declarants have received approval from the Tahoe Regional Planning Agency ("TRPA") on February 29, 1996, to transfer 506 square feet of land coverage from the Sending Parcel to the Receiving Parcel, described as follows:

Lot 14, in Block B, as set forth on map of LINCOLN PARK, filed for record in the office of the County Recorder of Douglas County, State of Nevada, on September 7, 1921, as Document No. 305, Douglas County, Records, as recorded on October 4, 1995 in Book 1095, Page 0636 and in Document No. 371941, and having Assessor's Parcel Number ~~123-143-13~~ (hereinafter "Receiving Parcel").

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3. Both the Sending Parcel and the Receiving Parcel 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 and ordinances adopted by the TRPA pursuant to the Tahoe Regional Planning Compact.

4. As a condition of the above approval, Chapter 20 of the TRPA Code of Ordinances requires that the appropriate deed restriction be recorded documenting both the transfer of coverage and the requirement that the portion of Sending Parcel from which the coverage is transferred shall be retired permanently and maintained in a natural or near-natural state. The deed restriction must likewise document that the portion of the Sending Parcel be protected from soil disturbance, and that provisions must be made for the future maintenance of the Sending Parcel.

#### DECLARATIONS

1. Declarants hereby declare that, for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, the Sending Parcel described above is, and shall be, deemed by TRPA to have transferred and retired 506 square feet of unused banked land coverage and to now contain 94 square feet of banked land coverage.

2. Declarants also hereby declare that the portion of the Sending Parcel from which the coverage is transferred shall be retired permanently and restored and maintained in a natural or near natural state. Declarants likewise declare that Declarants shall protect the portion of the Sending Parcel from which the coverage is transferred from soil disturbance and that Declarants shall make provisions for the future maintenance of the Sending Parcel.

3. This Deed Restriction shall be deemed a covenant running with the land, or an equitable servitude, as the case may be, and shall constitute benefits and burdens to the Sending Parcel and the Receiving Parcel and shall be binding on the Declarants and Declarants' assigns and all persons acquiring or owning any interest in the Sending Parcel and the Receiving Parcel.

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

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IN WITNESS WHEREOF, Declarants have executed this Deed Restriction on the day and year written above.

Declarants' Signature(s):

*Gil Linsley*  
Gil Linsley

Dated: 5/14/96

STATE OF )  
                  ) SS.  
COUNTY OF )

On this 14<sup>TH</sup> day of May, 1996, before me, personally appeared Gil Linsley personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person 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 their behalf of which the person(s) acted executed the instrument.

*Paul Kaleta*  
NOTARY PUBLIC



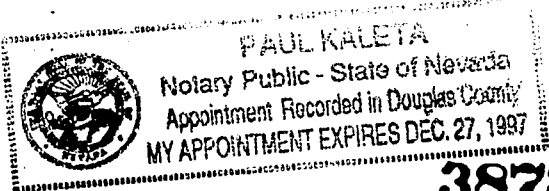
*Gail Linsley*  
Gail Linsley

Dated: May 14, 1996

STATE OF )  
                  ) SS.  
COUNTY OF )

On this 14<sup>TH</sup> day of May, 1996, before me, personally appeared Gail Linsley personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person 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 their behalf of which the person(s) acted executed the instrument.

*Paul Kaleta*  
NOTARY PUBLIC



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