

**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: Charles Donaldson, Assistant Planner

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
PROJECT AREA AND COVERAGE CALCULATION ("DEED RESTRICTION")**

This Deed Restriction is made this 24<sup>th</sup> day of February, 1998, Greg and Grace Morris, husband and wife, as joint tenants (hereinafter "Declarants").

**RECITALS**

1. Declarants are the owners of certain real property located in ~~El Dorado~~ <sup>Douglas</sup> County, State of ~~California~~ <sup>Nevada</sup>, more particularly described as follows:  
*PK*  
Lot 33 and 34, as shown on the Amended Plat of the ELKS SUBDIVISION, filed in the Office of the County Recorder of Douglas County, Nevada, on January 5, 1928, and as shown on the Second Amended Plat of the Elks Subdivision, filed in the Office of the County Recorder of Douglas County, Nevada, on June 5, 1952.  
  
Said parcel was recorded on December 28, 1993 with the Office of the County Recorder of Douglas County in Book 1293 at Page 6071 as Document Number 326120 and having APN 05-241-32 (hereinafter "Property").
2. The property is located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 96-551, Stat. 3233, 1980), which region is subject to the regional plan and the ordinances adopted by the Tahoe Regional Planning Agency (hereafter "TRPA") pursuant to the Tahoe Regional Planning Compact.
3. Declarant received approval from the TRPA on February 17, 1998 to make a lot line adjustment, subject to certain conditions contained on said approval, including a condition that Declarant's record a deed restriction permanently assuring that the coverage calculations for the parcels within the project area shall always be made as if the parcels had been legally consolidated.

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- 4. As a condition of the above approval, Chapter 20, Land Coverage, Section 20.3.D(1)(a) of the TRPA Code of Ordinances, requires that the parcels within the above project area be treated as if legally consolidated for the purpose of future land coverage calculations within the project area.

DECLARATIONS

- 1. Declarants hereby declare that, for the purpose of satisfying TRPA's February 17, 1998 condition of approval, the Property consisting of Lots 33 and 34 identified herein shall always be treated as if the lots had been legally consolidated for the purposes of land coverage calculations within the project area, and the applying TRPA ordinances pertaining to land coverage.
- 2. This Deed Restriction shall be deemed a covenant running with the land, or an equitable servitude, as the case may be, and shall be binding on the Declarants and Declarants' assigns, and all persons acquiring or owning any interest in the property.
- 3. 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 shall be deemed and agreed to be a third party beneficiary of this Deed Restriction, and as such, can enforce the provisions of this Deed Restriction.

IN WITNESS WHEREOF, Declarant has executed this Deed Restriction this the day and year written above.

Declarant's Signature:

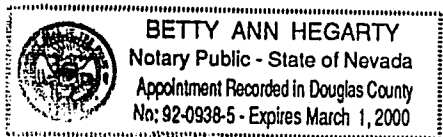
[Handwritten Signature]  
Greg Morris

Dated: 2-24-98

STATE OF )  
                  ) SS.  
COUNTY OF )

On this 24<sup>th</sup> day of February, 1998, before me, personally appeared Greg Morris 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.

Betty Ann Hegarty  
NOTARY PUBLIC



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Grace E. Morris  
Grace Morris

Dated: 2/24/98

STATE OF )  
                  ) SS.  
COUNTY OF )

On this 24<sup>th</sup> day of FEBRUARY, 1998, before me, personally appeared Grace Morris 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.

Betty Ann Hegarty  
NOTARY PUBLIC

 BETTY ANN HEGARTY  
Notary Public - State of Nevada  
Appointment Recorded in Douglas County  
No: 92-0938-5 - Expires March 1, 2000

APPROVED AS TO FORM:

Rachelle J Nicolle  
Tahoe Regional Planning Agency  
Rachelle J Nicolle

STATE OF )  
                  ) SS.  
COUNTY OF )

On this 17<sup>th</sup> day of FEBRUARY, 1998, before me, personally appeared Rachelle J Nicolle 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.

Judy A McIntire  
NOTARY PUBLIC

 JUDY A. McINTIRE  
Notary Public - State of Nevada  
Appointment Recorded in Douglas County  
MY APPOINTMENT EXPIRES JUNE 6, 1998

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REQUESTED BY  
Basin Strategies  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

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LINDA SLATER  
RECORDER

\$10<sup>00</sup> PAID k2 DEPUTY

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