

RECORDING REQUESTED BY:

TAHOE REGIONAL PLANNING AGENCY  
P. O. Box 1038  
Zephyr Cove, NV 89448

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448  
Attention: Paul Nielsen, Associate Planner

97022174

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
LOT LINE ADJUSTMENTS ("DEED RESTRICTION")**

**RECITALS**

1. Declarants are the owners, or legal representatives of the owners of real property located in Douglas County, State of Nevada, described as Parcels 1 and 2 in Exhibit A and recorded in the Office of the Douglas County Recorder, in book 1081, pages 140, 141, and 142, document #60865, recorded October 2, 1981, and further described in book 377, page 131 - 133, recorded March 3, 1977.
2. The Declarants received approval from the Tahoe Regional Planning Agency ("TRPA") on December \_\_, 1997, to adjust the boundary lines between the two parcels, and thereby create two parcels described as parcels "A" and "B" as described in Exhibit B. The lot line adjustment shall be in accordance with Exhibit C attached hereto and incorporated herein by reference.
3. Parcel "A" and "B" 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 34 of the TRPA Code of Ordinances requires that appropriate deed restrictions be recorded documenting that the lot line adjustment will create no development or potential development.

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**DECLARATION**

1. Declarants hereby declare that for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, Parcels 1 and 2, described in Exhibits A and B attached and incorporated herein by reference, had (prior to this TRPA approval) existing land coverage as documented by TRPA file number 970733, APN(s) 03-220-18/19, and that for purposes of future coverage calculation and applying TRPA's ordinances pertaining to land coverage, the two parcels shall be treated as though legally merged.

2. This Deed Restriction 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 Parcels "A" and "B", and shall be binding on the Declarants and Declarant's assigns and all persons acquiring or owning any interest in Parcels "A" and "B".

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 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.

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

Declarant's Signature

*Stan Summers* Exec.

Stan Summers, Executor  
Estate of Helene Stambaugh

STATE OF NEVADA            )  
  )  
COUNTY OF DOUGLAS     )        ss.

On this 8 day of Jan, 1998 before me, personally appeared Stan Summers, Executor of Helene Stambaugh Estate, personally known to me, or proved to me to be the persons whose names are subscribed to this instrument, and acknowledge that they execute it.

My Commission Expires September 7, 1998

WITNESS my hand and official seal  
*Deborah Anne*

**SEAL**


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Notary signature

My commission expires \_\_\_\_\_

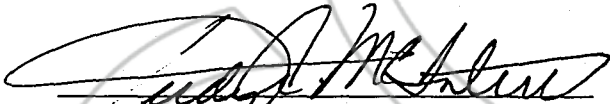
APPROVED AS TO FORM:

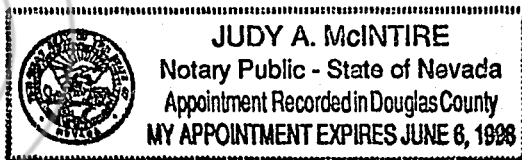
 Dated: 11/6/98  
Rachelle J. Nicolle

TAHOE REGIONAL PLANNING AGENCY EXECUTOR DIRECTOR OR DESIGNEE:

STATE OF NEVADA )  
  ) ss.  
COUNTY OF DOUGLAS )

On this day of Nov, 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 behalf of which the person(s) acted executed the instrument.

  
Notary Public



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EXHIBIT "A"DESCRIPTION

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land being situated in and a portion of the North 1/2 of the South 1/2 of the South 1/2 of Lot 4 (Southwest 1/4) of Section 34, Township 14 North, Range 18 East, M.D.B. & M., and the meander line of Lake Tahoe more particularly described as follows, to-wit:

COMMENCING at the 1/4 corner common to Section 34, Township 14 North, Range 18 East, and Section 3, Township 13 North, Range 18 East, M.D.B. & M.; thence from said point of commencement North 0°30'54" East along the 1/4 Section line of Section 34, a distance of 347.40 feet to a point; thence North 89°53'27" West, a distance of 707.50 feet to a point; said point being the Northwest corner of the parcel of land conveyed to RUSSELL R. HALL, et ux, in Deed recorded June 3, 1960, in Book 2, Page 511, Official Records; thence South 01°02'26" West, a distance of 20.00 feet to a point; thence North 89°53'27" West, a distance of 124.05 feet to a point; thence South 60°06'39" West, a distance of 60.00 feet to a point; thence South 00°30'54" West, a distance of 10.00 feet to the True Point of Beginning; thence North 89°53'44" West, a distance of 136.33 feet to a point, which is marked by a set 5/8 inch rebar capped R.L.S. 2280; thence continuing North 89°53'44" West, a distance of 47 feet more or less to the meander line of Lake Tahoe; thence Southwesterly and Southerly along said meander line a distance of 130 feet more or less to a point; said point being the Northwest corner of the parcel of land conveyed to HUGH W. KILLEBREW, et ux, in Deed recorded September 9, 1974, in Book 974, Page 137, Official Records; thence South 89°53'44" East, a distance of 236.44 feet to a point; thence North 00°30'54" East, a distance of 103.78 feet to the POINT OF BEGINNING.

Said land more fully shown as Parcel No. 2 as set forth on that certain Parcel Map filed for record in the office of the County Recorder of Douglas County, Nevada, on November 23, 1976, as Document No. 04827.

TOGETHER WITH an easement for roadway and utility purposes over, under and across the following described land:

A parcel of land being situated in and a portion of the North 1/2 of the South 1/2 of the South 1/2 of Lot 4 (Southwest 1/4) of Section 34, Township 14 North, Range 18 East, M.D.B. & M., more particularly described as follows to-wit:

COMMENCING at the 1/4 corner common to Section 34, Township 14 North, Range 18 East, and Section 3, Township 13 North, Range 18 East, M.D.B. & M.; thence from said point of commencement North 29°59'42" West, a distance of 378.30 feet to the True Point of Beginning; said point being further

(continued)

60865

LIBER 1081 PAGE 141

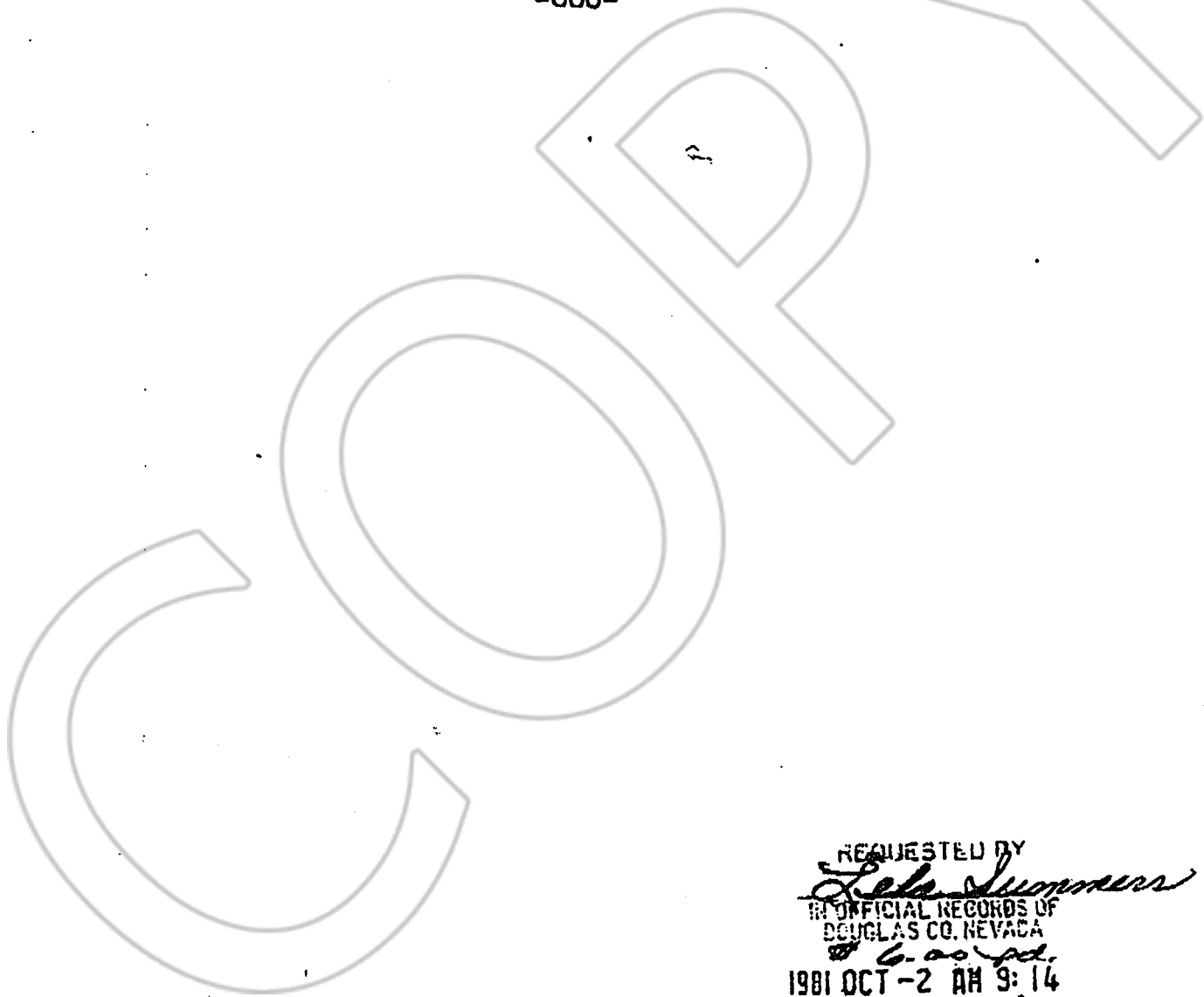
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EXHIBIT "A" - DESCRIPTION (CONT.)

a point on the Westerly right-of-way line of U. S. Highway 50; thence South 11°18'47" East, along said Highway right-of-way line a distance of 20.21 feet to a point; thence North 89°53'27" West, a distance of 642.45 feet to a point; thence South 60°06'39" West, a distance of 60.00 feet; thence South 00°30'54" West, a distance of 10.00 feet to a point; thence North 89°53'44" West, a distance of 25.00 feet to a point; thence North 00°30'54" East, a distance of 60.00 feet to a point; thence South 89°53'27" East, a distance of 713.38 feet more or less to the Westerly right-of-way line of U. S. Highway 50, as above-referred to.

-000-



REQUESTED BY  
*Lela Summers*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA  
\$ 6.00 pd.  
1981 OCT -2 AM 9:14  
*Lela Summers*  
MARIE A. RIEDEL  
RECORDER  
*Carol E. Hart* 60865  
*Deputy* LIBER 1081 PAGE 142

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EXHIBIT B

JN 97126  
11-17-97

**DESCRIPTION**  
Adjusted APN 03:220:18

All that real property situate in the County of Douglas, State of Nevada, described as follows:

All that portion of Parcel 1 as shown on that certain Parcel Map, filed for record on November 23, 1976, as Document #04827, more particularly described as follows:

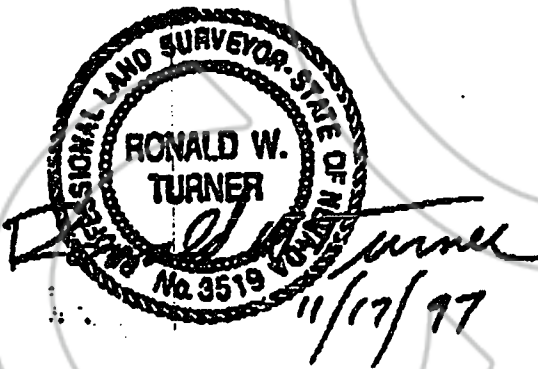
Beginning at the Southeast corner of said Parcel 1;  
thence North 89 53'44" West 174.48 feet;  
thence North 0 30'54" East 163.80 feet;  
thence South 89 53'27" East 175.39 feet;  
thence South 0 50'00" West 163.79 feet (South 01 02'26" West 163.78 feet record) to the POINT OF BEGINNING.

Containing 28,652 square feet, more or less.

The Basis of Bearing for this description is the above referenced Parcel Map.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared by: Turner & Associates, Inc.  
Land Surveying  
PO Box 5067  
Stateline, NV 89449



0442662

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Exhibit "C"

JN 97126  
11-17-97

**DESCRIPTION**  
Adjusted APN 03:220:19

All that real property situate in the County of Douglas, State of Nevada, described as follows:

All that portion of Parcel 1 and 2 as shown on that certain Parcel Map, filed for record on November 23, 1976, as Document #04827, more particularly described as follows:

Beginning at the Southeast corner of said Parcel 2; thence North 89 53'14" West 236.44 feet to a point on the approximate High Water Line of Lake Tahoe; thence Northeasterly along the approximate High Water Line 182 feet, more or less, thence South 89 53'27" East 159.10 feet; thence South 0 30'54" West 163.80 feet to the POINT OF BEGINNING.

Containing 32,467 square feet, more or less.

The Basis of Bearing for this description is the above referenced Parcel Map.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared by: Turner & Associates, Inc.  
Land Surveying  
PO Box 5067  
Stateline, NV 89449



REQUESTED BY  
**STEWART TITLE of DOUGLAS COUNTY**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'98 JUN 24 AIO:29

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LINDA SLATER  
RECORDER  
\$13<sup>00</sup> PAID K2 DEPUTY