

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
Attention: Kathy Canfield
APN 07-170-140
APN 07-170-150

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

This Deed Restriction is made by HALL PROPERTIES, INC., a Nevada corporation, formerly known as Skyland Water Company, Inc., a Nevada corporation (hereinafter "Declarant").

RECITALS

1. Declarant is the owner of certain real property described as follows:

PARCEL 1:

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, being a portion of the Southwest $\frac{1}{4}$ of Section 23 and the Northwest $\frac{1}{4}$ of Section 26, Township 13 North, Range 18 East, M.D.B.&M., and being further described as follows:

COMMENCING at the $\frac{1}{4}$ corner common to Sections 23 and 26; thence Westerly along the section line North $89^{\circ}41'40''$ West 327.60 feet to a cross cut on a rock, said cross being the TRUE POINT OF BEGINNING; thence parallel to the North-South centerline of Section 23, North $00^{\circ}02'36''$ West 47.00 feet; thence parallel to aforesaid section line North $89^{\circ}41'40''$ West 35.00 feet; thence parallel to the North-South centerline of Section 23, North $00^{\circ}02'36''$ West 23.00 feet; thence parallel to aforesaid centerline of Section 23 North $00^{\circ}02'36''$ West 23.00 feet; thence parallel to aforesaid section line North $89^{\circ}41'40''$ West 68.80 feet; thence parallel to the North-South centerline of Section 23, South $00^{\circ}02'36''$ East 70.00 feet; thence South $00^{\circ}12'20''$ West 35.25 feet to the Northerly right of way line of Kingsbury Grade; thence along the Northerly right of way line South $73^{\circ}54'48''$ East 107.92 feet; thence North $00^{\circ}12'20''$ East 64.60 feet to the POINT OF BEGINNING, and as recorded on April 1, 1992, in Book 492, Page 012, as Document Number 274648, in the Official Records of Douglas County, Nevada.

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PARCEL 2:

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, being wholly within the Southwest $\frac{1}{4}$ of Section 23, Township 13 North, Range 18 East, M.D.B.&M., County of Douglas, State of Nevada and being further described as follows:

COMMENCING at the $\frac{1}{4}$ corner common to Sections 23 and 26; thence Westerly along the section line North $89^{\circ}41'40''$ West, a distance of 431.40 feet; thence Northerly and parallel to the North-South $\frac{1}{4}$ section line North $00^{\circ}02'36''$ West, a distance of 70.00 feet to the TRUE POINT OF BEGINNING; thence continuing parallel to the North-South $\frac{1}{4}$ section line North $00^{\circ}02'36''$ West, a distance of 70.00 feet to the TRUE POINT OF BEGINNING; thence continuing parallel to the North-South $\frac{1}{4}$ section line North $00^{\circ}02'36''$ West, a distance of 10.00 feet; thence parallel to the section line between Sections 23 and 26 South $89^{\circ}41'40''$ East, a distance of 68.80 feet; thence Northerly and parallel to the North-South $\frac{1}{4}$ section line North $00^{\circ}02'36''$ West, a distance of 34.00 feet; thence parallel to the section line between Sections 23 and 26 South $89^{\circ}41'40''$ East, a distance of 35.00 feet; thence parallel to the North-South $\frac{1}{4}$ section line South $00^{\circ}02'36''$ East, a distance of 67.00 feet; thence parallel to the section line between Sections 23 and 26 North $89^{\circ}41'40''$ West, a distance of 35.00 feet; thence Northerly and parallel North-South $\frac{1}{4}$ section line North $00^{\circ}02'36''$ West, a distance of 23.00 feet; thence parallel to the section line between Sections 23 and 26 North $89^{\circ}41'40''$ West, a distance of 68.80 feet to the POINT OF BEGINNING, and as recorded on December 28, 1999, in Book 1299, Page 5105, as Document Number 0483449, in the Official Records of Douglas County, Nevada.

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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 TRPA pursuant to the Tahoe Regional Planning Compact.
3. Declarant received approval from the TRPA on July 7, 2000 to demolish an abandoned water well station, subject to certain conditions contained on said approval, including a condition that Declarant records 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.
4. As a condition of the above approval, Chapter 20, Land Coverage, Section 20.3D(1)(a) of the TRPA Code of Ordinances, requires that the Property, consisting of Parcels One and Two, be treated as if legally consolidated for the purpose of future land coverage calculations within the project area.

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DECLARATIONS

1. Declarant hereby declares that, for the purposes of satisfying TRPA's July 7, 2000, conditions of approval, the Property consisting of Parcels One and Two identified herein, shall always be treated as if the Parcels had been legally consolidated for the purposes of land coverage calculations within the project area and the 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 Declarant and Declarant's successors and assigns, and all persons acquiring or owning any interests in the property.
3. This Deed Restriction may not be revoked or modified without the prior express written and recorded consent of the Tahoe Regional Planning Agency 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, Declarant has executed this Deed Restriction on the day and year written.

DATED this 14th day of September, 2000.

HALL PROPERTIES, INC., a Nevada corporation, formerly known as Skyland Water Company, a Nevada corporation

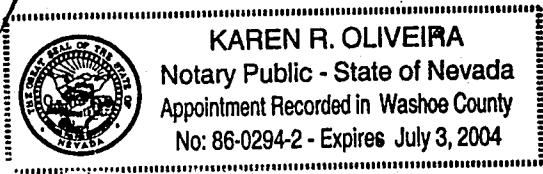
By: 
THOMAS J. HALL, PRESIDENT

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STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On September 14, 2000, personally appeared before me, a notary public, Thomas J. Hall, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Karen R. Oliveira
NOTARY PUBLIC



APPROVED AS TO FORM:

TAHOE REGIONAL PLANNING AGENCY

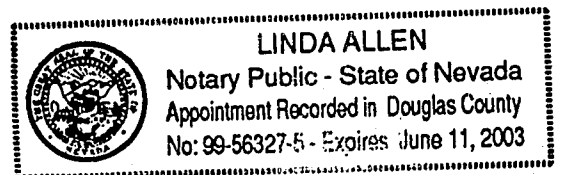
By: Jordan Kahn
Jordan Kahn
Assistant Agency Counsel

DATED: September 15, 2000

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On September 15th, 2000, personally appeared before me, a notary public, JORDAN KAHN, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Linda Allen
NOTARY PUBLIC



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COPY

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

2000 SEP 21 AM 9:03

LINDA SLATER
RECORDER

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