

APNs 07-480-01 & 07-480-02

**RECORDED AT THE REQUEST OF  
AND RETURN TO:  
TAHOE REGIONAL PLANNING AGENCY  
POST OFFICE BOX 1038  
ZEPHYR COVE, NV 89448**

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR REVOKING DEED RESTRICTION FILED ON OCTOBER 4, 1991**

This declaration is made this 3 day of NOVEMBER, 2000, by Olivo Enterprises, Inc. (hereinafter referred to as "Declarant").

**RECITALS:**

1. Declarant is the owner of that certain real property located in Douglas County, State of Nevada, described in Exhibit A attached. (Legal descriptions of APNs 07-480-01, 07-480-02).
2. The property is located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 95-551, 94 Stat. 3233, 1980; hereinafter the "Compact"), which Region is subject to the regional plan adopted by the TRPA pursuant to the Compact.
3. TRPA has, on August 25, 1999 approved a boundary line adjustment (File # 990299) for lots 1-8 of the Hansen Heights Subdivision with the express condition that the permittee record a deed restriction, "To revoke the previous deed restriction that identified lots 1 (07-480-01) and 2 (07-480-02) as legally merged for the purpose of future land coverage calculations originally recorded September 27, 1991, and re-recorded on October 4, 1991, (Note: TRPA permit erroneously references date of 10/4/99). The document being revoked by this action is document #261711, Book 1091, Page 337, Douglas County Records, and document #262050, book 1091, page 1105, Douglas County Records, attached as Exhibit B.

**DECLARATION:**

Declarant hereby declares that lot 1 (APN# 07-480-01) and Lot 2 (APN# 07-480-02) of the Hansen Heights Subdivision shall no longer be deemed as though merged for the purposes of calculating land coverage and that the previously recorded deed restriction identified as document #261711, Book 1091, Page 337, Douglas County Records (attached as Exhibit B), with the full knowledge and approval of the Tahoe Regional Planning Agency, is hereby revoked.

Declarant hereby declares that the certain real property described above as lot 1 (APN# 07-480-01) and lot 2 (APN# 07-480-02) of the Hansen Heights Subdivision shall be deemed by the Tahoe Regional Planning Agency as two separate legal parcels.

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 hereafter acquiring or owning any interest in the above described parcels.

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.

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In witness whereof, Declarant has executed this declaration on the day and year written above.

[Signature]  
Nello Olivo, Managing Member, Olivo Enterprises, Inc.

Dated: 11/3/00

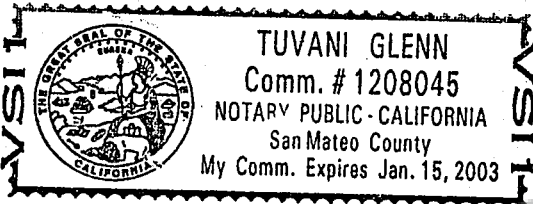
California  
STATE OF ~~NEVADA~~ )  
EL Dorado ) ss.  
COUNTY OF ~~DOUGLAS~~ )

On this 3<sup>rd</sup> day of Nov., in the year 2000, before me personally appeared Nello Olivo, personally known to me to be the person whose name is ascribed to this instrument, and acknowledge that they executed it.

WITNESS my hand and official seal

[Signature]  
Notary Signature

My commission expires 1-15-03



APPROVED AS TO FORM:

[Signature] Dated: 10/23/00  
JORDAN KAHN

TAHOE REGIONAL PLANNING AGENCY EXECUTOR DIRECTOR OR DESIGNEE

STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On this 23 day of 10, 2000, before me, personally appeared JORDAN KAHN, 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.

[Signature]  
NOTARY PUBLIC



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06/11/99  
98164-1DESCRIPTION  
Adjusted Lot 1

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

All of Lot 1 of Hansen Heights Estates, filed for record on December 6, 1979, as Document No.39361, and that portion of the Southwest ¼ of Section 24, Township 13 North, Range 18 East, M.D.M., more particularly described as follows:

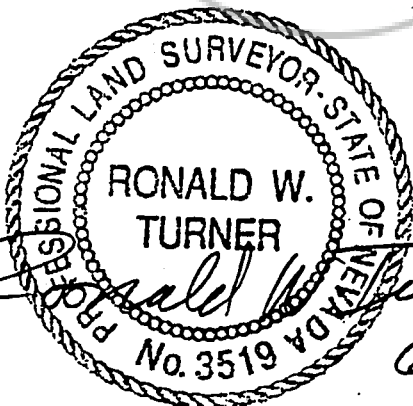
Beginning at the Southwest corner of said Hansen Heights Estates;  
 thence North 00°24'57" East 330.96 feet;  
 thence South 85°43'00" East 99.74 feet;  
 thence South 61°47'00" East 25.04 feet;  
 thence South 28°13'00" West 70.93 feet;  
 thence along a tangent curve to the right with a radius of 75.00 feet, a central angle of 19°52'00", and an arc length of 26.01 feet;  
 thence along a tangent curve to the left with a radius of 75.00 feet, a central angle of 183°28'00", and an arc length of 240.16 feet;  
 thence along a tangent curve to the right with a radius of 75.00 feet, a central angle of 28°17'00", and an arc length of 37.02 feet;  
 thence North 72°54'00" East 95.00 feet;  
 thence along a tangent curve to the right with a radius of 120.00 feet, a central angle of 78°30'00", and an arc length of 164.41 feet;  
 thence South 28°36'00" East 130.69 feet;  
 thence North 89°27'45" West 503.26 feet to the Point of Beginning.

Containing 80,474 square feet, more or less.

The Basis of Bearing for this description is the above referenced Hansen Heights Estates.

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

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



0503269

BK 1100PG2546

06/11/99  
98164-2

DESCRIPTION  
Adjusted Lot 2

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

All of Lot 2 of Hansen Heights Estates, filed for record on December 6, 1979, as Document No.39361, and that portion of the Southwest ¼ of Section 24, Township 13 North, Range 18 East, M.D.M., more particularly described as follows:

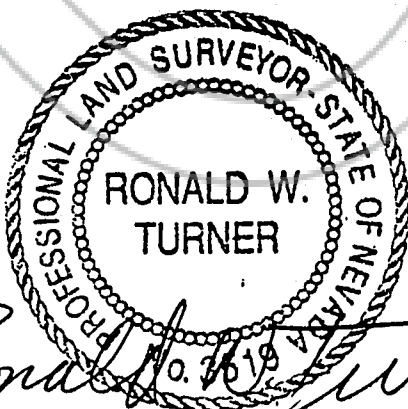
Beginning at the Southwest corner of said Lot 2;  
thence North 85°43'00" West 9.39 feet;  
thence North 00°24'57" East 51.27 feet;  
thence South 85°43'00" East 153.30 feet;  
thence South 28°13'00" West 67.07 feet;  
thence North 61°47'00" West 25.04 feet;  
thence North 85°43'00" West 90.35 feet to the Point of Beginning.

Containing 7,311 square feet, more or less.

The Basis of Bearing for this description is the above referenced Hansen Heights Estates.

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

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



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EXHIBIT B

This declaration 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, and Douglas County. TRPA and Douglas County are deemed and agreed to be a third party beneficiary of this declaration and as such can enforce the provisions of the declaration.

In witness whereof declarant has executed this declaration on the day and year written above.

[Signature]  
NELLO J. OLIVO JR.

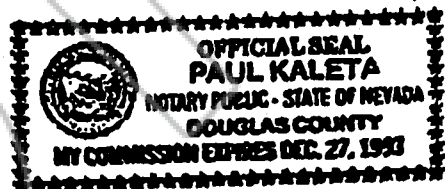
[Signature]  
DANICA OLIVO

State of Nevada )  
                          )SS  
County of Douglas )

On October 4th, 1991 before me, Paul Kaleta, personally appeared Nello and Danica Olivo

personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



Signature [Signature]  
PAUL KALETA  
Tahoe Regional Planning Agency

By: [Signature]



-6

**EXHIBIT B**

WHEN RECORDED MAIL TO:

Basin Strategies  
P.O. Box 11945  
Zephyr Cove, NV 89448NELLO + DANICA OLIVO ✓  
P.O. BOX 1670  
ZEPHYR COVE, NV 89449**DEED RESTRICTION FOR PROJECT AREA LOT CONSOLIDATIONS****DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

This declaration is made this 4<sup>th</sup> day of October, 1991, by Nello and Danica Olivo (hereinafter "declarant").

**RECITALS**

1. Declarant is the owner of certain real property located in Douglas County, State of Nevada, described as follows:

**LOTS 1 and 2 of HANSEN HEIGHTS ESTATES** as recorded in the office of the County Recorder of Douglas County, Nevada on December 6, 1979 in Book 1279, Page 301, as Document No. 39361.

Assessor's Parcel No. 07-480-01 and 07-480-02

**TOGETHER WITH** an undivided 8/8ths interest in and to the open space (common area) as set forth on the hereinabove mentioned subdivision.

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 adopted by the Tahoe Regional Planning Agency ("TRPA") pursuant to the Tahoe Regional Planning Compact.

3. As a condition of the above approval and pursuant to Douglas County Ordinances, the Uniform Building Code, and the Douglas County Zoning Code, the parcels are to be treated as if legally merged.

4. The declarant has received approval from TRPA to construct a NSFD on the project area consisting of the combining of lots 1 and 2 of HANSEN HEIGHTS ESTATES.

5. As a condition of the above approval and pursuant to the TRPA Code of Ordinances, Chapt. 20, Land Coverage, Section 20.3.D (1)(a), TRPA requires that the parcels within the above project area be treated as if legally merged for the purpose of future land coverage calculations within the project area.

**DECLARATION**

Declarant hereby declares that certain real property described above is, and shall be, deemed by TRPA and Douglas County to be merged and constitute but one contiguous, inseparable parcel.

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 hereafter acquiring or owning any interest in the above described parcels.

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EXHIBIT B

In witness whereof declarant has executed this declaration on the day and year written above.

*[Signature]*  
Nello Olivo

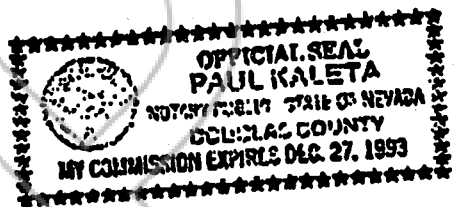
*[Signature]*  
Danica Olivo

State of Nevada )  
County of Douglas ) SS.

On September 27, 1991 before me, Paul Kaleta, personally appeared Nello Olivo and Danica Olivo, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Signature *[Signature]*



Tahoe Regional Planning Agency

By: *[Signature]*

0503269

BK 1100PG2550

**EXHIBIT B**

WHEN RECORDED MAIL TO:

Basin Strategies  
P.O. Box 11945  
Zephyr Cove, NV 89448

**DEED RESTRICTION FOR PROJECT AREA LOT CONSOLIDATIONS****DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

This declaration is made this 27 day of September, 1991, by Nello and Danica Olivo (hereafter "declarant").

**RECITALS**

1. Declarant is the owner of certain real property located in Douglas County, State of Nevada, described as follows:

LOTS 1 and 2 of HANSEN HEIGHTS ESTATES as recorded in the office of the County Recorder of Douglas County, Nevada on December 6, 1979 in Book 1279, Page 301, as Document No. 39361.

Assessor' Parcel No. 07-480-01 & 07-480-02

TOGETHER WITH an undivided 8/8ths interest in and to the open space (common area) as set forth on the hereinabove mentioned subdivision.

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 adopted by the Tahoe Regional Planning Agency ("TRPA") pursuant to the Tahoe Regional Planning Compact.

3. The declarant has received approval from TRPA to construct a NSFD on the project area consisting of the combining of lots 1 and 2 of HANSEN HEIGHTS ESTATES.

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

**DECLARATION**

Declarant hereby declares that, for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, the certain real property described above is, and shall be, deemed by TRPA to be merged and constitute but one parcel for the purposes set forth above.

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 hereafter acquiring or owning any interest in the above described parcels.

This declaration 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 declaration and as such can enforce the provisions of the declaration.

0503269

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COPY

REQUESTED BY  
Midkiff & Associates  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2000 NOV 14 PM 12: 52

LINDA SLATER  
RECORDER

\$15<sup>00</sup> PAID kg DEPUTY

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