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**RECORDING REQUESTED BY:**

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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: Gretchen Gibson, Assistant Planner

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**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
CONCERNING THE USE OF THE GARAGE AND THE LIVING  
AREA ABOVE THE GARAGE ("DEED RESTRICTION")**

This Deed Restriction is made by Paul Kaleta and Vicky Kaleta, husband and wife as joint tenants with right of survivorship and not as tenants in common (hereinafter "Declarant").

**RECITALS**

1. Declarant is the owner of certain real property described as follows:  
  
Lot 2, in Block A, as said Lot and Block are shown on the Official Map of GRANITE SPRINGS SUBDIVISION UNIT NO. 1, recorded July 15, 1979, in Book 679, of Official Records, at Page, 1150, of Douglas County, Nevada, as Document No. 33554, as recorded on November 2, 1999, as Document No. 0479926 in Book 1199, Page 0364 and as re-recorded on February 3, 2000 as document number 0485696, in Book 0200 at Page 0618. Assessor's Parcel Number 007-452-02 (hereinafter "Property").
2. Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on October 2, 2000 to construct a new single family dwelling on the Property, including a garage with a living area over the garage.
3. The above 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 and ordinances adopted by the TRPA pursuant to the Tahoe Regional Planning Compact.

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4. As a condition of the above approval, Chapter 18 of the TRPA Code of Ordinances requires the appropriate deed restriction be recorded documenting the limits to the use of the garage and the second floor living area above the garage.

### DECLARATIONS

1. Declarant hereby declares that the garage, including the second floor living area over the garage, is and shall be an accessory use to and part of the primary residence on the Property, and shall not be used in a fashion as to constitute a secondary residence or separate residential unit. The garage and second floor living area, as accessory uses, shall not be permitted to contain cooking facilities. The garage and second floor area shall not be leased, rented, or used separately from the primary residence on the Property. Use of the garage or second floor living area as a separate residential unit shall constitute a violation of the TRPA approval.
2. 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 Property described above and shall be binding on the Declarant and Declarant's assigns and all persons hereafter acquiring or owning any interest 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.

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