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REQUESTED BY
Alling & Jilissen Ltd
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

RECORDING REQUESTED BY:
Tahoe Regional Planning Agency
Post Office Box 1038
Zephyr Cove, Nevada 89448

2003 AUG 26 AM 11:19

WERNER CHRISTEN
RECORDER

\$18.00 PAID KJ DEPUTY

WHEN RECORDED MAIL TO:
Tahoe Regional Planning Agency
Post Office Box 1038
Zephyr Cove, Nevada 89448
Attn: Jeanne McNamara, Associate Planner
TRPA File No.: 210194

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
CONCERNING ELIGIBILITY FOR A SECONDARY RESIDENCE
("DEED RESTRICTION")**

This Deed Restriction is made this 3rd day of June, 2003, by Gary A. Michelsen, an unmarried man; Ronald J. Michelsen and Carole A. Michelsen, husband and wife as joint tenants; and Gary A. Michelsen, Administrator of the Estate of Mark L. Michelsen, Deceased (hereinafter collectively referred to as "Declarants")

RECITALS

1. Declarants are the owners of the following real property located in Douglas County, Nevada, as set forth below:

The parcel described in Exhibit "A" attached hereto and incorporated by reference.

Said parcel was recorded in the Official Records of Douglas County, Nevada on October 17, 2002, in Document Number 0555097, Book 1002, Page 07324, having APN 1318-15-102-002 (formerly APN 05-185-02).
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. Declarants received approval from the TRPA on October 10, 2001 to adjust a lot line (TRPA file 210194), subject to certain conditions contained on said approval, including a condition that Declarants record a deed restriction permanently restricting the newly configured APN 1318-15-102-002 (formerly APN 05-185-02) to one residence and will not be eligible for a secondary residence.
4. As a condition of the above approval, Chapter 18 of the TRPA Code of Ordinances requires that the appropriate deed restriction be recorded documenting the restriction that the subject property is not eligible for a secondary residence.

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DECLARATIONS

1. Declarants hereby declare that, for the purpose of satisfying TRPA's October 10, 2001 condition of approval, the Property, consisting of Parcels One and Two identified herein, shall be restricted to one residence and will not be eligible for a secondary residence.
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, Declarants have executed this Deed Restriction as of the day and year written above.

Declarant's Signature:

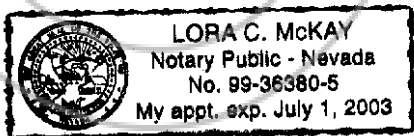
By: *Gary A. Michelsen*
Gary A. Michelsen

Dated: 6/3/03

STATE OF Nevada)
COUNTY OF Douglas) SS.

On this 3rd day of June, 2003, before me, personally appeared Gary A. Michelsen, 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.

Lora C. McKay
NOTARY PUBLIC



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Declarant's Signature:

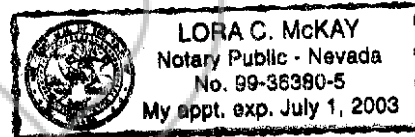
By: Ronald J. Michelsen
Ronald J. Michelsen

Dated: 6/3/03

STATE OF _____)
) SS.
COUNTY OF _____)

On this 3rd day of June, 2003, before me, personally appeared Ronald J. Michelsen, 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.

Lora C. McKay
NOTARY PUBLIC



Declarant's Signature:

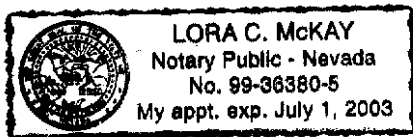
By: Carole A. Michelsen
Carole A. Michelsen

Dated: 6/3/03

STATE OF Nevada)
) SS.
COUNTY OF Berkeley)

On this 3rd day of June, 2003, before me, personally appeared Carole A. Michelsen, 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.

Lora C. McKay
NOTARY PUBLIC



Declarant's Signature:

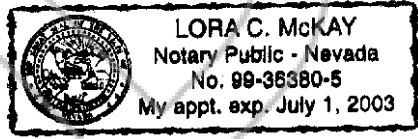
By: *[Signature]*
Gary A. Michelsen
Administrator of the Estate of Mark L. Michelsen, Deceased

Dated: 6/3/03

STATE OF Nevada)
COUNTY OF Douglas) SS.

On this 3rd day of June, 2003, before me, personally appeared Gary A. Michelsen, 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.

[Signature]
NOTARY PUBLIC



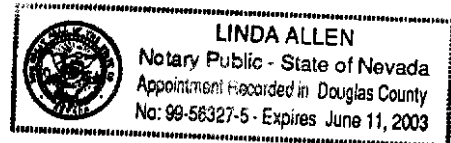
APPROVED AS TO FORM:

[Signature]
Tahoe Regional Planning Agency

STATE OF NEVADA)
COUNTY OF DOUGLAS) SS.

On this 21st day of May, 2003, before me, personally appeared Jordan Rahn 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.

[Signature]
NOTARY PUBLIC



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EXHIBIT A

August 20, 2002
01285-3

DESCRIPTION *of*
Adjusted APN 05-185-01 *02*

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

All that portion of Sections 10 & 15, Township 13 North, Range 18 East, M.D.M., more particularly described as follows:

Beginning at the most Southerly corner of adjusted APN 05-185-03, as shown on that Record of Survey filed for record on November 25, 1998, Document No. 455048;

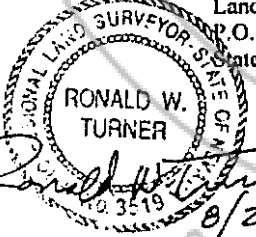
Thence North 51°56'47" West 481.25 feet;
 Thence North 17°58'38" East 97.17 feet;
 Thence South 89°52'07" East 202.46 feet;
 Thence North 06°19'14" East 27.64 feet;
 Thence North 18°18'38" West 148.00 feet;
 Thence North 76°16'41" West 15.86 feet;
 Thence along a curve concave to the Northwest with a radius of 80.00 feet, a central angle of 07°09'43", and a arc length of 10.00 feet, the chord of said curve bears North 30°56'18" East 9.99 feet;
 Thence North 27°21'27" East 27.13;
 Thence along a tangent curve to the right with a radius of 11.56 feet, a central angle of 109°59'00", and an arc length of 22.19 feet;
 Thence South 42°39'33" East 99.25 feet;
 Thence along a curve concave to the Northeast with a radius of 40.00 feet, a central angle of 118°25'04", and an arc length of 82.67 feet, the chord of said curve bears South 42°14'51" east 68.72 feet;
 Thence South 04°55'59" East 216.72 feet;
 Thence South 51°56'47" East 186.70 feet;
 Thence South 38°03'13" West 178.65 feet to the Point of Beginning.

Containing 2.57 acres, more or less.

The Basis of Bearing for this description is the above referenced Record of Survey, Document No. 455048.

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
Stardline, NV 89449


Ronald W. Turner
 8/20/02 BK1002PG07324

0555097
BK1002PG07324

REQUESTED BY
Stewart Title of Douglas County
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

2002 OCT 17 AM 11:07

LINDA SLATER
RECORDER
\$15⁰⁰ PAID *kg* DEPUTY

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