

18

REQUESTED BY  
*Mickiff + Assoc*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449

2004 SEP 27 PM 2:54

WERNER CHRISTEN  
RECORDER

**WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449  
Attn: Melissa Shaw, Associate Planner  
TRPA File # 20021970

\$ *18<sup>00</sup>* PAID *KJ* DEPUTY

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
RESIDENTIAL UNITS DEED RESTRICTION  
TO BE RECORDED AGAINST APNs 1318-09-810-005 and 1318-09-810-004**

This Deed Restriction is made this *27<sup>th</sup>* day of *September*, 2004 by Prestige Corporate Headquarters, LLC, a Florida Limited Liability Company (hereinafter "Declarant").

**RECITALS**

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

Parcel One:

See Exhibit A, attached.

Said parcel was recorded on May 3, 2002 as document number 0541424, Book 0502, Page 01276 in the Office of the Recorder of the County of Douglas, and having Assessor's Parcel Number 1318-09-810-005 (formerly APN 05-113-04).

Parcel Two:

See Exhibit A, attached.

Said parcel was recorded on May 3, 2002 as document number 0541424, Book 0502, Page 01276 in the Office of the Recorder of the County of Douglas, and having Assessor's Parcel Number 1318-09-810-004 (formerly APN 05-113-05).

Parcels A and B are hereinafter collectively referred to as the "Property."

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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 Tahoe Regional Planning Agency (hereafter "TRPA") pursuant to the Tahoe Regional Planning Compact.
3. Declarants received approval from the TRPA on April 4, 2004 to adjust the boundary line between the subject parcels, subject to certain conditions contained on said approval, including a condition that Declarants record a deed restriction permanently assuring that the number of residential units on APN 1318-09-810-004 shall be limited to two and the number of residential units on APN 1318-09-810-005 to one residential unit.
4. As a condition of the above approval, the TRPA permit required that the number of residential units on APN 1318-09-810-004 shall be limited to two existing units and the number of residential units on APN 1318-09-810-005 to one existing residential unit.

#### **DECLARATIONS**

1. Declarants hereby declare that, for the purpose of satisfying TRPA's April 4, 2004 condition of approval, Parcel One (APN 1318-09-810-005) identified herein shall always have no more than one residential unit and Parcel Two (APN 1318-09-810-004) identified herein shall always have no more than two residential units.
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.

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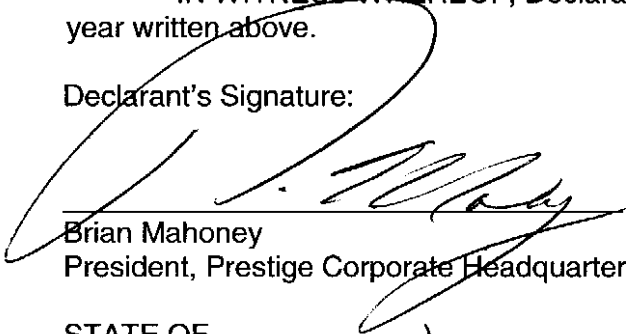
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IN WITNESS WHEREOF, Declarant has executed this Deed Restriction this the day and year written above.

Declarant's Signature:




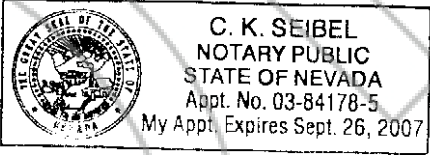
Brian Mahoney  
President, Prestige Corporate Headquarters, LLC

Dated: 9/29/04

STATE OF )  
                  ) SS.  
COUNTY OF )

On this 27<sup>th</sup> day of September, 2004, before me, personally appeared Brian Mahoney 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.

  
NOTARY PUBLIC

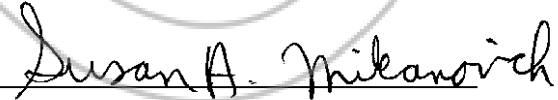


APPROVED AS TO FORM:

  
Tahoe Regional Planning Agency

STATE OF Nevada)  
                                  ) SS.  
COUNTY OF Douglas )

On this 1<sup>st</sup> day of Sept., 2004, 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 their behalf of which the person(s) acted) executed the instrument.

  
NOTARY PUBLIC



DESCRIPTION  
Adjusted A.P.N. 05-113-04

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

All that portion of Section 9, Township 13 North, Range 18 East, M.D.M., more particularly described as follows:

**BEGINNING** at the northwesterly corner of Lot 6, Block C, Zephyr Cove Properties Amended No. 2, Document No. 00267, which lies on the southerly right-of-way line of Lake Shore Blvd;

**THENCE** along said right-of-way line S 36°22'35" E, 64.00 feet to the most easterly corner of said Lot 6;

**THENCE** along the southeasterly line of said Lot 6 and the extension thereof, S 20°06'18" W, 196.90 feet, more or less, to the point of approximate Low Water Line of Lake Tahoe, at an elevation of 6223.0 feet, Lake Tahoe Datum;

**THENCE** along said approximate Low Water Line N 45°47'09" W, 91.39 feet, more or less;

**THENCE** N 26°00'00" E, 148.71 feet, more or less;

**THENCE** N 36°22'35" W, 62.54 feet;

**THENCE** N 34°51'48" E, 50.00 feet;

**THENCE** S 36°22'35" E, 129.00 feet to the **POINT OF BEGINNING**.

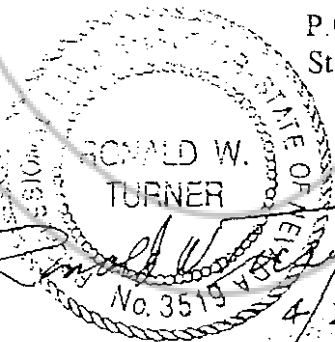
Containing 0.41 acres, more or less.

The Basis of Bearing for this description is identical to Amended Map of Subdivision No. 2 of Zephyr Cove Properties, Inc., recorded as Document No. 00267.

The above mentioned approximate Low Water elevation is referenced from that legal description recorded as Document No. 0507672, Douglas County, Nevada Records.

That Grant, Bargain, and Sale Deed legal description recorded as Document No. 0508635 in Book 0201, Page 2189 was used in the preparation of this legal description.

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



0625141

0541424

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BK0502PG01280

DESCRIPTION  
Adjusted A.P.N. 05-113-05

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

All that portion of Section 9, Township 13 North, Range 18 East, M.D.M., more particularly described as follows:

COMMENCING at the northwesterly corner of Lot 7, Block C, Zephyr Cove Properties Amended No. 2 which lies on the southerly right-of-way line of Lake Shore Blvd;  
THENCE S 34°51'48" W, 50.00 feet to the POINT OF BEGINNING;  
THENCE S 36°22'35" E, 62.54 feet;  
THENCE S 26°00'00" W, 148.71 feet, more or less, to the point of approximate Low Water Line of Lake Tahoe, at an elevation of 6223 feet, Lake Tahoe Datum;  
THENCE along said approximate Low Water line N 45°47'09" W, 83.24 feet, more or less, to the point of the southwesterly extension of the westerly line of said Lot 7;  
THENCE along said westerly line N 34°51'48" E, 153.52 feet, more or less, to the POINT OF BEGINNING.

Containing 0.24 acres, more or less.

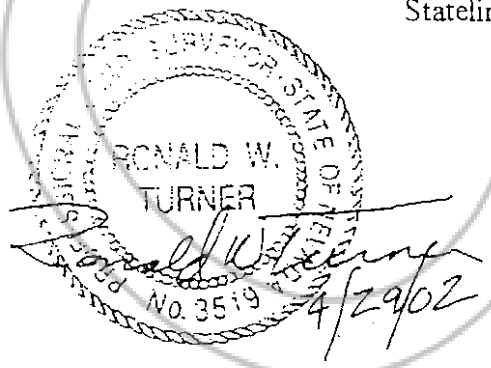
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Land Surveying  
P.O. Box 5067  
Stateline, NV 89449

✓ Return to:  
Midway Assoc.  
P.O. Box 12427  
Zephyr Cove, NV  
89448



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