

198 RECORDING REQUESTED BY

PLACER TITLE COMPANY

WHEN RECORDED MAIL TO:

DAWSON DETARR
PO BOX 13188
SO LAKE TAHOE, CA 96151

Order Number: 203-4546-

DOC # 0638400
03/08/2005 11:40 AM Deputy: KLJ
OFFICIAL RECORD
Requested By:
ERIKA BROWNELL

Douglas County - NV
Werner Christen - Recorder
Page: 1 of 5 Fee: 18.00
BK-0305 PG- 2959 RPTT: 0.00



SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

**DEED RESTRICTIONS AND DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR TRANSFER OF EXISTING
DEVELOPMENT CONSISTING OF A RESIDENTIAL UNIT OF USE
("DEED RESTRICTION")**

TO BE RECORDED AGAINST APN: 1318-22-002-003





El Dorado, County Recorder
 William Schultz Co Recorder Office
DOC- 2004-0094440-00

Check Number 2036

Thursday, NOV 18, 2004 08:10:35

Ttl Pd \$16.00

Nbr-0000555635

MLA/C1/1-4

RECORDING REQUESTED BY:

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

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
 Post Office Box 5310
 Stateline, Nevada 89449
 Attn: Kathy Canfield, Senior Planner
 TRPA File 20040882

CERTIFIED

**DEED RESTRICTION AND
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR TRANSFER OF EXISTING DEVELOPMENT CONSISTING
 OF A RESIDENTIAL UNIT OF USE ("DEED RESTRICTION")
 TO BE RECORDED AGAINST APN 1318-22-002-003**

This Deed Restriction is made this 21 day of September 2004, by Meadow Brook Associates, LP, a Nevada Limited Partnership, (hereinafter "Declarant").

RECITALS

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

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

Being a portion of Section 22, Township 13 North, Range 18 East, M.D.B. & M.

COMMENCING at the Northeast corner of Lot 16, in Block 3 of OLIVER PARK, as shown on the Map thereof, filed in the office of the County Recorder of Douglas County, Nevada, on February 2, 1959; thence along the Northeasterly line of MICHELE DRIVE the following distances and courses; North 18°23'35" East, a distance of 111.645 feet; thence on a curve to the right having a radius of 575.00 feet through a central angle of 10°25'14" for an arc distance of 104.58 feet; thence North 28°48'49" East, a distance of 257.22 feet to the point of intersection with the Southwesterly line of Kahle Drive extended Northwesterly; thence along the Southwesterly line of said Kahle Drive extended North 61°11'11" West, a distance of 486.87 feet to the TRUE POINT OF BEGINNING; thence continuing along said line North 61°11'11" West a distance 565.63 feet; thence along a curve to the left having a radius of 20.00 feet through a central angle of 90°00', an arc distance of 31.42 feet; thence South 28°48'49" West, a



BK- 0305
 PG- 2960

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thence continuing along said line North 61°11'11" West a distance 565.63 feet; thence along a curve to the left having a radius of 20.00 feet through a central angle of 90°00', an arc distance of 31.42 feet; thence South 28°48'49" West, a distance of 295.29 feet to a point; thence South 60.°40'41" East, a distance of 585.65 feet; thence North 28°48'49" East, a distance of 320.54 feet to the POINT OF BEGINNING.

The above metes and bounds description appeared previously in that certain document recorded October 9, 2001, in Book 1001, page 2502 as Document No. 524684.

Said parcel was recorded on November 7, 2003, as Document Number 0596233 in the Official Records of Douglas County, Nevada and having Assessor's Parcel Number (APN): 1318-22-002-003 (formerly APN 07-100-01, hereinafter "Sending Parcel").

2. The Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on September 20, 2004, to transfer existing development consisting of one existing residential unit of use from the Sending Parcel to the Receiving Parcel, described as follows:

Lot 525 of Mountain View Estates Unit No. 5, filed in the Office of the County Recorder, County of El Dorado, State of California on August 4, 1961 in Book C of Maps at Page 81.

Said parcel was recorded as Document Number 2004-0020796 on March 22, 2004, in the office of the County Recorder of El Dorado County, State of California and having Assessor's Parcel Number 33-521-10 (hereinafter "Receiving Parcel").

3. The Sending Parcel and the Receiving Parcel are all 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.
4. As a condition of the above approval, Chapter 34 of the TRPA Code of Ordinances requires that an appropriate deed restriction be recorded documenting both the transfer of one existing residential unit of use from the Sending Parcel, and the requirement that the sending parcel be restricted to reflect the use remaining thereon. The Deed Restriction must likewise document that the structure or facility accounting for the existing use on the Sending Parcel shall be removed or modified and the land restored and maintained in as natural a state as possible, so as to eliminate the transferred development.

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DECLARATIONS

1. Declarant hereby declares that for the purpose of transferring one existing residential unit of use, and applying TRPA ordinances relating to the transfer of existing development, the Sending Parcel described above is and shall be, deemed by TRPA to have transferred one existing residential unit of use to the Receiving Parcel, and to now contain twenty-eight (28) banked residential units of use available for transfer. No new residential units of use shall be allowed on the Sending Parcel without prior written approval by TRPA.
2. Declarant shall cause the subject residential unit of use on the Sending Parcel to be removed and shall restore and maintain that area in a natural state, so as to eliminate the one dwelling unit transferred insofar as is possible. Declarant shall further maintain the Sending Parcel free of hazard and nuisance.
3. Declarants agree to pay or cause to be paid all real property taxes and other assessments levied or assessed against the Sending Parcel.
4. 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 Sending parcel and the Receiving Parcel and shall be binding on the Declarants and Declarants' assigns and all persons acquiring or owning any interest in the Sending Parcel and the Receiving Parcel.
5. 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 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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This is a true certified copy of the record if it bears the seal, imprinted in purple ink, of the recorder.

SEAL

MAR - 8 2005

William E. Schultz, RECORDER-CLERK
EL DORADO COUNTY, CALIFORNIA



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Deed Restriction for APN 1318-22-002-003
TRPA File 20040882
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IN WITNESS WHEREOF, Declarant has executed this Deed Restriction this the day and year written above.

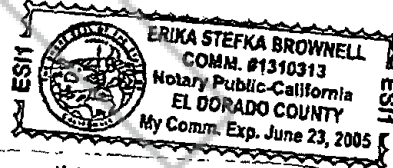
Declarants' Signatures:
Randy Lane By Dawson Detarr as his attorney in fact
Randy Lane, Managing Partner
Meadow Brook Associates, LP

Dated: 11/17/04

STATE OF California)
COUNTY OF El Dorado) SS.

On this 17th day of November, 2004, before me, personally appeared Dawson Detarr 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.

Erika Stefka Brownell
NOTARY PUBLIC



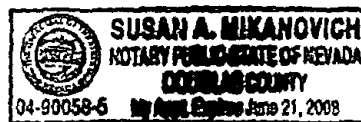
APPROVED AS TO FORM:
JORDAN KAHN
Jordan Kahn
Tahoe Regional Planning Agency

ILLEGIBLE NOTARY DECLARATION
I certify under penalty that the notary seal on the document to which this statement is attached reads as follows:
Name of Notary Susan A. Mikanovich
Date commission expires JUNE 21, 2008
Notary identification number 04-90058-5
(For notaries commissioned after 1-1-1992)
Manufacturer/Vendor Identification number NA
(For notaries commissioned after 1-1-1992)
Place of execution of Declaration El Dorado
Dated 11-18-04 by S. Mikanovich

STATE OF NEVADA)
COUNTY OF DOUGLAS) SS.

On this 27th day of September, 2004, before me, personally appeared Jordan Kahn personally known to me and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon their behalf of which the person acted, executed the instrument.

Susan A. Mikanovich
NOTARY PUBLIC



11/18/2004, 20040094440