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: Heather Gustafson, Associate Planner

DOC # 0651306 08/04/2005 10:32 AM Deputy: BC OFFICIAL RECORD Requested By: ALLING & JILLSON LTD

> Douglas County - NV Werner Christen - Recorder

Page: 1 Of 3 Fee: BK-0805 PG- 2139 RPTT:

16.00 0.00



DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE RETIREMENT OF DEVELOPMENT RIGHTS ("DEED RESTRICTION") TO BE RECORDED AGAINST APN 1319-19-411-013

This Deed Restriction is made this 1st day of August 2005, by Scott G. Erickson, as Trustee of The Scott G. Erickson Family Trust, established July 31, 1993 (hereinafter "Declarant").

RECITALS

 Declarant is the owner of certain real property located at 648 Jack Circle in Douglas County, State of Nevada, described as follows:

Lots 14 and 15, Block 8, as shown on the Map of KINGSBURY ESTATES UNIT NO. 2, filed in the Office of County Recorder of Douglas County, Nevada, on June 6, 1962, as Document No. 20174 (hereinafter "Property").

Said parcel was recorded on January 12, 2004, in the Office of County Recorder of Douglas County, as Document No. 061728, Book 0104, Page 02957. Assessor's Parcel Number 1319-19-411-013.

- The Property is subject to Declaration of Covenants, Conditions and Restrictions being a
 Deed Restriction for lot consolidation recorded in the Official Records of Douglas County
 on December 1, 1998, as Document No. 0455305, Book 1298, Page 0086.
- 3. The 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 Tahoe Regional Planning Agency ("TRPA") pursuant to the Tahoe Regional Planning Compact.
- 4. The TRPA recognizes a banked existing development right on the Property.
- 5. Upon implementation of a TRPA-approved coverage removal plan, the TRPA will recognize 288 square feet of remaining potential land coverage on the Property.
- 6. On June 22, 2005, a Settlement Agreement was approved by the TRPA Governing Board. Pursuant to this Agreement, Declarant is to retire the existing banked development and the 288 square feet of remaining potential land coverage on the Property.

Deed Restriction APN: 1319-19-411-013

Erickson Family Trust

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DECLARATIONS

- 1. Declarant hereby declares that the existing banked development right on the Property shall be permanently retired.
- 2. Declarant hereby declares that the 288 square feet of remaining potential land coverage on the Property shall be permanently retired.
- 3. This Deed Restriction shall be deemed a covenant running with the land, or an equitable servitude, as the case may be, and shall constitute a burden on the Property benefitting the TRPA and shall be binding upon the Declarant and Declarant's assigns and all persons acquiring or owning any interest in the Property.
- 4. 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. The TRPA is the beneficiary of this Deed Restriction and as such can enforce the provisions of this Deed Restriction.

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

Declarant's Signature:

| Scott G. Erickson, Trustee of The Scott G. Erickson Family Trust, established July 31, 1993

STATE OF (ALIFORNIA) ss.

On this 15t day of 2005, before me, personally appeared SCOTT G. ERICKSON, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person executed the instrument.

NOTARY PUBLIC

CAROL CAVELLA
Commission # 1552984
Notary Public - California
Los Angeles County
My Comm. Expires Mar 12, 2009

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Deed Restriction APN 1319-19-411-013 **Erickson Family Trust** Page 3 of 3 APPROVED AS TO FORM: oe Regional Planning Agency Jordan Kahn STATE OF Nevada)

COUNTY OF Douglas) SS.

On this 20th day of Ju

_, 2005, before me, personally appeared 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



OFFICIAL SEAL LINDA ALLEN IOTARY PUBLIC - STATE OF NEVADA DOUGLAS COUNTY My Commission Exp. June 11, 2007

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