

OFFICIAL RECORD

Requested By:
BASIN STRATEGIES

RECORDING REQUESTED BY:

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

Douglas County - NV
Werner Christen - Recorder

Page: 1 OF 9 Fee: 22.00
BK-0506 PG- 2117 RPTT: 0.00



WHEN RECORDED MAIL TO:

✓ Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
Attn: Theresa Avance, Associate Planner II
TRPA File # 20050675

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR BOUNDARY LINE ADJUSTMENTS ("DEED RESTRICTION")
TO BE RECORDED AGAINST APNs 1319-19-810-006 AND 1319-19-810-007**

This Deed Restriction is made this 18 day of April, ²⁰⁰⁶~~2005~~ by Englekirk
Construction LLC (hereinafter "Declarants").

RECITALS

1. Declarants are the owners of certain real property located in Washoe County, State of Nevada, described as follows:

Parcel One

Lot 6, Block 7, of Kingsbury Estates Unit No. 2, filed as Document No. 20174 on June 6, 1962, Official Records, Douglas County, Nevada.

Said parcel was recorded under Document number 0616938, Book 0604, Page 11817 on June 23, 2004 in the Office of the Douglas County Recorder, and having Assessor's Parcel Number (APN) 1319-19-810-006.

Parcel Two

Lot 5, Block 7, of Kingsbury Estates Unit No. 2, according to the map thereof, filed in the office of the County Recorder of Douglas County, State of Nevada on June 6, 1962 in Book 1 as Document Number 20174.

Said parcel was recorded under Book 0604, Page 11820, Document Number 0616939 on June 23, 2004 in the Office of the Douglas County Recorder, and having Assessor's Parcel Number (APN) 1319-19-810-007.

Parcels One and Two are hereinafter collectively referred to as the "Property."

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. Declarant received approval from the TRPA on October 7, 2005 for an equal area adjustment of the boundary line between Assessor's Parcel Numbers 1319-19-810-006 and 1319-19-810-007, which required re-evaluation of the IPES scores for each parcel.
4. As a condition of the above approval, Chapter 34 of the TRPA Code of Ordinances, requires that appropriate deed restrictions be recorded documenting that the boundary line adjustment will not create any additional development or potential development.

DECLARATIONS

1. Declarants hereby declare that for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, Assessor's Parcel Number (APN) 1319-19-810-006, described above, had (prior to TRPA's approval) 1,705 square feet of potential land coverage and 190 square feet of existing land coverage, and APN 1319-19-810-007, described above, had (prior to TRPA's approval) 410 square feet of potential land coverage. As a result of the TRPA approval, the available potential land coverage for the above-mentioned parcels shall be 1,705 square feet and 410 square feet, respectively.
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 Declarant and Declarant's 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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IN WITNESS WHEREOF, Declarant has executed this Deed Restriction this the day and year written above.

Declarant's Signature: [Signature]

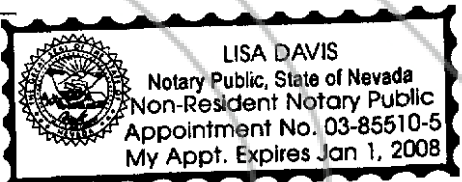
Dated: 4-18-06

Dwight D. Englekirk, Owner
Englekirk Construction, LLC

STATE OF Nevada,
COUNTY OF Douglas, SS.

On this 18th day of April, 2005, before me, personally appeared Dwight D. Englekirk 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.

Lisa Davis
NOTARY PUBLIC



APPROVED AS TO FORM:
[Signature]
Tahe Regional Planning Agency

STATE OF Nevada,
COUNTY OF Douglas, SS.

On this 7th day of October, 2005, before me, personally appeared Jordan Kane 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.

Linda Allen
NOTARY PUBLIC



Parcel One

A.P.N.: 1319-19-810-006
File No: 141-2137220 (CD)
R.P.T.T.: \$1,267.50

RECORDED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 JUN 23 PM 4: 07

WERNER CHRISTEN
RECORDER

9/6 PAID *KV* DEPUTY

When Recorded, Mail Tax Statements To:
Englekirk Construction, LLC
PO Box 1274, Attn: Doug Englekirk
Zephyr Cove, NV 89448

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Falcon Capital, LLC, a Wyoming Limited Liability Company

do(es) hereby **GRANT, BARGAIN and SELL** to

Englekirk Construction, LLC

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

PARCEL NO. 1:

LOT 6, BLOCK 7, OF KINGSBURY ESTATES UNIT 2, FILED AS DOCUMENT NO. 20174 ON JUNE 6, 1962, OFFICIAL RECORDS, DOUGLAS COUNTY, NEVADA.

PARCEL NO. 2

A PORTION OF LOT 7, OF KINGSBURY ESTATES UNIT NO. 2, FILED AS DOCUMENT NO. 20174 ON JUNE 6, 1962, OFFICIAL RECORDS, DOUGLAS COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 7, BLOCK 7, SAID CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF BENJAMIN DRIVE:

**THENCE SOUTH 25°56'36" WEST 258.03 FEET ALONG SAID RIGHT-OF-WAY LINE;
THENCE NORTH 50°55'12" EAST 217.60 FEET TO THE EASTERLY PROPERTY LINE OF SAID LOT 7;
THENCE NORTH 41.84 FEET ALONG SAID PROPERTY LINE TO THE NORTHEAST CORNER OF SAID LOT 7;
THENCE NORTH 46°35'46" WEST 77.15 FEET ALONG THE NORTH LINE OF SAID LOT 7 TO THE POINT OF BEGINNING**

0616938

BK 0604 PG 11817

Description: Douglas, NV Document-DocID 616938 Page: 1 of 3
Order: 9 Comment:



NOTE: THE ABOVE METES AND BOUND DESCRIPTION APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED FEBRUARY 4, 2002, IN BOOK 0202 PAGE 1367, AS INSTRUMENT NO. 0534026.

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 06/18/2004

COOPER

0616938

BK0604 PG11818

Description: Douglas, NV Document-DocID 616938 Page: 2 of 3
Order: 9 Comment:



0674152

Page: 6 Of 9

05/04/2006

BK- 0506
PG- 2122

Parcel Two

A.P.N.: 1319-19-810-007
File No: 141-2136826 (CD)
R.P.T.T.: \$1,150.50

REQUESTED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 JUN 23 PM 4:08

WERNER CHRISTEN
RECORDER

\$15⁰⁰ PAID *KJ* DEPUTY

When Recorded, Mail Tax Statements To:
Englekirk Construction, LLC
PO Box 1274, Attn: Dwight D. Englekirk
Zephyr Cove, NV 89448

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Falcon Capital LLC, a Wyoming Limited Liability Company

do(es) hereby *GRANT, BARGAIN and SELL* to

Englekirk Construction, LLC Limited Liability Company

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

LOT 5 IN BLOCK 7 OF KINGSBURY ESTATES UNIT NUMBER 2, ACCORDING TO THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, STATE OF NEVADA ON JUNE 6, 1962 IN BOOK 1 AS DOCUMENT NUMBER 20174.

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 06/18/2004

0616939

BK0604PG11820

Description: Douglas, NV Document-DocID 616939 Page: 1 of 2
Order: 9 Comment:



