

DOC # 0699210
04/16/2007 01:05 PM Deputy: DW
OFFICIAL RECORD
Requested By:
TRPA

Assessor's Parcel Number: 1418-15-801-007

Recording Requested By: Tahoe Regional Planning Agency

✓ Name: Jean Bauwens, Paralegal

Address: 128 Market Street

City/State/Zip Stateline, NV 89449

Real Property Transfer Tax: \$ N/A

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 6 Fee: 44.00
BK-0407 PG- 4616 RPIT: 0.00



PERMIT AS PART OF LITIGATION SETTLEMENT

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

(775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

PERMIT AS PART OF LITIGATION SETTLEMENT

PROJECT DESCRIPTION: Grading/Paving/Re-siding

APN: 1418-15-801-007
Former APN 001-130-05

PERMITTEE(S): Charles Bluth

FILE #: 20061971

COUNTY/LOCATION: Douglas County, 1750 Highway 50

Having made the findings required by Agency ordinances and rules and in settlement of the pending litigation, TRPA v. Charles Bluth (Case No. 3:04-CV-00419-LHR-RAM, D.NV), TRPA approves the project as of **January 24, 2007**, expressly conditioned on TRPA Governing Board approval, and subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on **January 24, 2010**, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO FURTHER CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.


TRPA Executive Director/Designer

1-24-07
Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. This permit and conditions thereof run with the land, and must be disclosed at the time of property transfer. I understand that TRPA will record this permit against the property for notice to subsequent purchasers. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s)


Date 1/25/07

CHARLES BLUTH

PERMIT CONTINUED ON NEXT PAGE

Planning for the Protection of our Lake and Land

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- (4) For the subject property house and/or other structures, a siding and color sample is to be submitted and approved by TRPA prior to installation.
- C. The applicant shall submit 3 copies of each of the Final Site Plan in accordance with 2.B., above, for TRPA staff approval prior to Governing Board action of this Permit.
- D. The affected property has _____ square feet of excess land coverage (calculation based on permit condition 2.B(2) above). The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 3 or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of ^{2.5}_% (based on condition 2.B(2) above, and as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$25 for projects within Hydrologic Transfer Area 3. Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than \$200.00.

Hydrologic Transfer Area	Fee Per Sq. Ft.
Area 1 – Incline	\$20.00
Area 2 – Marlette	\$12.00
Area 3 – Cave Rock	\$25.00
Area 4 – South Stateline (Nevada side)	\$15.00
Area 4 – South Stateline (California side)	\$6.50
Area 5 – Upper Truckee	\$6.50
Area 6 – Emerald Bay	\$8.50
Area 7 – McKinney Bay	\$8.50
Area 8 – Tahoe City	\$8.50
Area 9 – Agate Bay (California side)	\$8.50
Area 9 – Agate Bay (Nevada side)	\$18.00

- E. The security required under Standard Condition A.3 of Attachment R shall be \$3300.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
- F. Submit a detailed and itemized construction completion schedule for proposed future work. The schedule shall include completion of all required items no later than October 15, 2007. The applicant shall arrange a final security inspection by TRPA no later than October 31, 2007.
3. No tree or trees on the parcel shall be removed or trimmed without prior TRPA written approval.
4. This approval is based on the permittee's representation that all Final Plans as specified in Paragraph C, above, and other information in the subject application are true and correct. If any information or representation submitted in connection with the project application is incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
5. All exterior lighting within the project area (i.e., the parcel) shall be consistent with TRPA Code of Ordinances, Chapter 30, Section 30.8, Exterior Lighting Standards.
6. The permittee is responsible for ensuring that the project, as built, does not exceed the approved land coverage figures shown on the Final Site Plan. The approved land coverage figures shall supersede coverages as measured from scaled drawings when discrepancies occur.
7. TRPA inspectors or authorized agents shall be permitted to inspect the project for compliance. Inspections may occur after TRPA gives the applicant reasonable notice, and no less than 24 hours notice, prior to the inspection. Compliance inspections may occur at any reasonable time up until TRPA releases the project security. The permittee or designated representative shall present during inspections.

END OF PERMIT

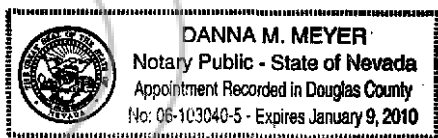


Short Form for Certifying Copy of Document Pursuant to NRS 240.168

Permit as Part of Litigation Settlement

I certify that this is a true and correct copy of a document in the possession of the Tahoe Regional Planning Agency, file number 20061971, pertaining to Assessor's Parcel No. 1418-15-801-007, the title of which is referenced above

Declarant:  Dated 4-16-07
Brian Judge
Principal Environmental Specialist
Tahoe Regional Planning Agency



STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On this 16th day of April, 2007, before me, Danna Meyer personally appeared Brian Judge 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 behalf of which the person(s) acted executed the instrument.


NOTARY PUBLIC