

RECORDING REQUESTED BY:

Tahoe Regional Planning Agency
Post Office Box 1038
Zephyr Cove, Nevada 89448

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 6 Fee: 19.00
BK-0907 PG- 0230 RPTT: 0.00

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89448
Attn: David L. Landry, Associate Planner
TRPA File # 20050978



**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
CONCERNING THE USE THE LIVING
AREA WITHIN DETACHED GARAGE ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1418-27-210-012**

This Deed Restriction is made this 4 day of May, 2006 by Deanne L. Cheney, The Larry J. John and Sandra John 1998 Revocable Trust, and Richard B.D. Chun, 1/3 individual owners (hereinafter collectively "Declarant").

RECITALS

1. Declarant is the owner of certain real property described as follows:

PARCEL NO. 1:

Lot 9 of Subdivision No. 1 CAVE ROCK, LTD., TRACT, according to the official map thereof, approved by the board of County Commissioners of Douglas County, Nevada, on August 5, 1936, and filed in the office of the County Recorder of Douglas County, State of Nevada, on September 26, 1936.

PARCEL NO. 2:

Beginning at the Northeast corner of Lot 10 of SUBDIVISION NO. 1. CAVEROCK COVE LTD. TRACT, according to the official map thereof entitled SUBDIVISION NO.1. CAVEROCK LTD. TRACT, Douglas County, Nevada, Section 27, Township 14 North, Range 18 East, M.D.W.& M., filed in the office of the County Recorder of Douglas County, Nevada, on September 26, 1936, thence Southwesterly along Pittman Terrace a distance of 27 feet; thence Northwesterly to a point on the Northwesterly line of Lot 10 a distance of 24.8 feet; Southwesterly from the Northwesterly corner of Lot 10; thence Northwesterly, a distance of 24.6 feet to the Northwest Corner, thence Southeasterly, a distance of 134.6 feet along the

Northeasterly line of said Lot 10 which a join Lot 9 of SUBDIVISION NO. 1, CAVEROCK COVE LTD. TRACT, according to the official map hereinabove mentioned.

Starting at the Northeast corner of Lot 10 of SUBDIVISION NO. 1. CAVEROCK COVE LTD. TRACT, as shown on the map thereof filed in the office of the County Recorder of Douglas County, Nevada on September 26, 1936, thence Southwesterly along Pittman Terrace a distance of 27 feet; thence Northwesterly to a point on the Northwesterly line of Lot 10 that is 24.8 feet, Southwesterly from the Northwesterly corner of Lot 10, said point being the true point of beginning, thence continuing along the same course to the point of its intersection with the low water line of Lake Tahoe, thence Northeasterly along said low water line to a point thereon where the same is intersected by the extended Northeasterly line of Lot 9 to said subdivision and tract, thence Southeasterly along said line as extended to the Northwest corner of said Lot 9, thence Southwesterly along the Northwesterly Lines of said Lot 9 and 10, to the true point of beginning.

NOTE (NARS 111.312): The above metes and bounds descriptions appeared previously and that certain GRANT DEED, recorded in the office of the County Recorder, DOUGLAS County, Nevada on December 28, 2000, in Book 1200, Page 5746, as Document No. 0505851, of Official Records and having Assessor's Parcel Number 1418-27-210-012 (hereinafter "the Property").

2. Declarant has received approval from Tahoe Regional Planning Agency (TRPA) on March 10, 2006 to construct a residential rebuild of the main structure on the property.
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 TRPA pursuant to the Tahoe Regional Planning Compact.
4. As a condition of the above approval, Chapter 18 of the TRPA Code of Ordinances requires the appropriate deed restriction be recorded documenting the limits to the use of the living area within detached garage.
5. The Spouse of the Deanne L. Cheney, has signed below to indicate his consent to this deed restriction.



DECLARATIONS

1. The living area within detached garage is and shall be an accessory use to the primary residence it is attached to on the Property, and shall not be used in a fashion as to constitute a separate residential unit. The living area within detached garage shall not be leased, rented, or used separate from the primary residence to. Use of the living area within detached garage as a separate residential unit shall constitute a violation of the TRPA approval.
2. 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 Property described above and shall be binding on the Declarant and Declarant's assigns and all persons hereafter acquiring or owning any interest in the Property.
3. This Deed Restriction may not be revoked or modified without the prior express written and recorded consent of the Tahoe Regional Planning Agency 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.

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

Declarant's Signatures:

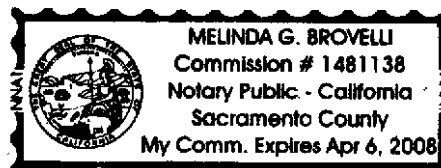
Deanne L. Cheney
Deanne L. Cheney, Undivided 1/3 interest

Dated: 5/4/06

STATE OF CALIFORNIA)
) SS.
COUNTY OF PLACER)

On this 4th day of May, 2006, before me, personally appeared Deanne L. Cheney 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.

Melinda G. Brovelli
NOTARY PUBLIC
Deed Restriction APN 1418-27-210-012



Larry J. John and Sandra John

Dated: 5/4/06

Larry J. John, Member, Trustee of the
Larry J. John and Sandra John 1998
Revocable Trust, Managing Member
Undivided 1/3 interest

STATE OF CALIFORNIA)
) SS.
COUNTY OF PLACER)

Melinda G. Brovelli, Notary Public

On this 4th day of May, 2006, before me, personally appeared
Larry J. John 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.

Melinda G. Brovelli
NOTARY PUBLIC



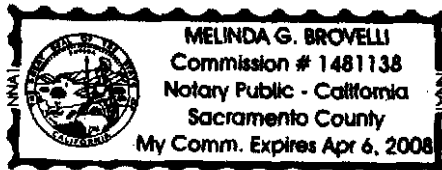
Richard B.D. Chun
Richard B.D. Chun, Undivided 1/3 interest

Dated: 5/4/06

STATE OF CALIFORNIA)
) SS.
COUNTY OF PLACER)

On this 4th day of May, 2006, before me, personally appeared
Richard B. D. Chun 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.

Melinda G. Brovelli
NOTARY PUBLIC



STATE OF CALIFORNIA)
) SS.
COUNTY OF PLACER)

On this 5th day of May, 2006, before me, personally appeared Sandra John 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.

Melinda G. Brovelli
NOTARY PUBLIC



APPROVED AS TO FORM:

Tahoe Regional Planning Agency

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On this _____ day of _____, 2006, 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

Declarant's Spouse's Signature:

[Handwritten Signature]

Dated: 5-4-06

D. Rick Cheney

STATE OF NEVADA) CALIFORNIA
))
))
))
COUNTY OF DOUGLAS) PLACER

On this 13th day of August, ²⁰⁰⁷ ~~2006~~, before me, personally appeared D. Rick Cheney 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.

Melinda G. Brovelli
NOTARY PUBLIC



APPROVED AS TO FORM:

[Handwritten Signature]
Tahoe Regional Planning Agency

STATE OF NEVADA)
))
))
))
COUNTY OF DOUGLAS)

On this 8th day of August, 2006, before me, personally appeared Jordan John 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.

Danna M. Meyer
NOTARY PUBLIC

