

OFFICIAL RECORD

Requested By:

TRPA

RECORDING REQUESTED BY:

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

Douglas County - NV
Werner Christen - Recorder

Page: 1 OF 4 Fee: 17.00
BK-0708 PG-4144 RPTT: 0.00



WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
✓ Stateline, Nevada 89449
Attention: Melanie Vincent, Assistant Environmental Specialist
TRPA File No. 20021741

AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR COVERAGE ASSIGNMENT ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1418-15-511-022 (Formerly 1418-15-511-021)

This Deed Restriction is made this 18th day of July, 2008, by Uppaway Development Co., (hereinafter "Declarant").

RECITALS

1. Declarant is authorized to transfer certain development rights from certain real property located in Douglas County, State of California, described as follows:

All that real property situated in the County of Douglas, State of Nevada, described as follows:

As set forth in Exhibit A, attached hereto and incorporated herein by reference, Assessor's Parcel Numbers (APN 1418-15-511-022)

Said parcel was recorded in Document Number 0643295, Book 0505, Page 00394 on May 2, 2005 in the Official Records Douglas County, California, and having Assessor's Parcel Number 1418-15-511-022. (Hereinafter "Sending Parcel")

2. The Declarants has received approval from the Tahoe Regional Planning Agency (TRPA) on September March 22, 2004, to transfer **700 square feet of Class 4** land coverage from the Sending Parcel to a receiving parcel, described as follows:

Lot 13, as shown on the 10th Amended Plat of Uppaway, filed in the office of the County Recorder of Douglas County, Nevada, on June 20, 1990 in Book 690 of Maps, Page 2796, as Document No. 228516, being an Amended map of the Map of UPPAWAY, Filed in the office of the County Recorder of Douglas County, Nevada on May 21, 1976.

Said parcel was recorded on February 15, 2002, in Document 0534782, Book 0202, Page 5024, in the Douglas County Recorder's Office. Assessor's Parcel Number 1418-15-511-017 (Old APN 001-100-64) (herinafter "Receiving Parcel").

3. The Sending Parcel and the Receiving Parcel are all real properties 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 20 of the TRPA Code of Ordinances requires that the appropriate deed restriction be recorded documenting both the transfer of coverage and the requirement that the area of the transferred land coverage on the Sending Parcel be restored and maintained in a natural or near-natural state. The deed restriction must likewise document that the area of the transferred land coverage on the Sending Parcel must be protected from soil disturbance, and that provisions must be made for the future maintenance of the Sending Parcel.

DECLARATIONS

1. Declarant hereby declares that, for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, the Sending Parcel described above is and shall be, deemed by TRPA to have transferred **700 square feet of Class 4 banked** land coverage and to now contain **2500 square feet banked** land coverage.
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 Sending Parcel and the Receiving Parcel and shall be binding on the Declarant and Declarants assigns and all persons acquiring or owning any interest in the Sending Parcel and the Receiving Parcel.
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 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.
4. This Deed Restriction is merely a correction of a document recorded on April 23, 2004 as Document No. 0611130 in the Douglas County Recorder's Office against Assessor's Parcel Number 1418-15-511-017 (Formerly 001-100-74).



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

Declarant Signature:

Uppaway Estates Co. *Norman N. Hansen* Dated: *7-15-08*
Norman N. Hansen

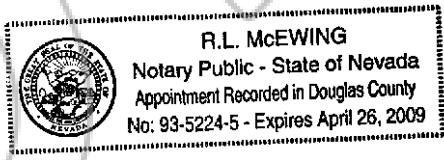
STATE OF *Nevada*,
COUNTY OF *Douglas*, SS.

On *7-18-08*, before me, *R.L. McEwing*, Notary Public, personally appeared *Norman N. Hansen*, who proved to me on the basis of satisfactory evidence to be the person(s) 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
NOTARY PUBLIC



APPROVED AS TO FORM:

Wendy Jepson
Tahoe Regional Planning Agency
by: Wendy Jepson

Dated: 6-6-08

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On June 6, 2008, before me, Linda Allen, Notary Public, personally appeared Wendy Jepson, who proved to me on the basis of satisfactory evidence to be the person(s) 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Linda Allen
NOTARY PUBLIC

