

OFFICIAL RECORD

Requested By:
ROY CLASON

RECORDING REQUESTED BY:

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

Douglas County - NV
Karen Ellison - Recorder

Page: 1 Of 4 Fee: 17.00
BK-0410 PG- 4670 RPTT: 0.00

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
Attention: Melanie Vincent, Associate Planner
TRPA File No. TRAN2009-0655



**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR COVERAGE ASSIGNMENT ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1318-10-416-007**

This Deed Restriction is made this 20th day of April, 2010, by Roy E. Clason Jr., an unmarried man (Hereinafter "Declarant").

RECITALS

1. Declarant is authorized to transfer land coverage off of certain real property located in Douglas County, State of Nevada, described as follows:

Lot 2, Block 5 of ZEPHYR HEIGHT SUBDIVISION, SECOND ADDITION, filed for record July 6, 1948 in the office of the County Recorder of Douglas County, State of Nevada as Document No. 6530

Said parcel was recorded in Document Number 0628934, Book 1104, Page 04888 on November 10, 2004 in the Official Records Douglas County, Nevada, and having Assessor's Parcel Number 1318-10-416-007 (formerly 005-184-13). (Hereinafter "Sending Parcel")

2. The Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on April 12, 2010, to transfer 948 square feet of Class 1a Land Coverage from the Sending Parcel to a receiving parcel, described as follows:

Lot 1, Block 5 of ZEPHYR HEIGHT SUBDIVISION, SECOND ADDITION, filed for record July 6, 1948 in the office of the County Recorder of Douglas County, State of Nevada as Document No. 6530

Said parcel was recorded in Document Number 0628934, Book 1104, Page 04888 on November 10, 2004 in the Official Records Douglas County, Nevada, and having Assessor's Parcel Number 1318-10-416-008 (formerly 005-184-12). (Hereinafter "Receiving Parcel")

3. Both the Sending Parcel and the Receiving Parcel are 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 948 square feet of banked Class 1a Land Coverage and to now contain 16 square feet of banked Class 1a Land Coverage.
2. Declarant also hereby declares that the area of the transferred coverage on the Sending Parcel shall be maintained in a natural state or near natural state if not redeveloped pursuant to a TRPA permit. Declarant acknowledges that land coverage may be returned to the Sending Parcel only if TRPA approves of the transfer of such pursuant to TRPA's ordinances in effect at the time of such development. Declarant further acknowledges that any such transfer to the Sending Parcel shall be evidenced by a recorded instrument approved by TRPA. Declarant likewise declares that Declarant shall make provisions for the future maintenance of the Sending Parcel.
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 benefits and burdens to the Sending Project Area and the Receiving Parcel and shall be binding on the Declarant and Declarant's assigns and all persons acquiring or owning any interest in the Sending Project Area and the Receiving Parcel.
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. 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.

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IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written above.

Declarant's Signature:

[Signature]
Roy E Clason Jr.

Dated: 4-20-2010

STATE OF HAWAII)
COUNTY OF HONOLULU) SS.

City of

SI CHUL OK

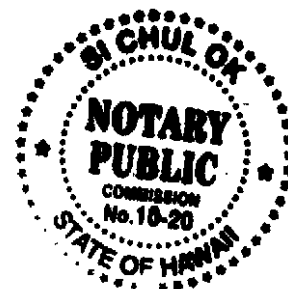
On April 20 2010, before me, _____, Notary Public, personally appeared ROY E CLASON JR., who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized 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 HAWAII that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature]

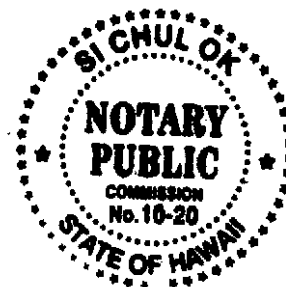
SI CHUL OK
My commission expires 02/07/2014



Notary Public Certification

Doc. Date: April 20 2010 # Pages: 4
SI CHUL OK First Judicial Circuit
Doc. Description: Deed

[Signature] 4/20/10
Notary Signature Date



APPROVED AS TO FORM:

Theresa Avance
Tahoe Regional Planning Agency

Dated: 4-12-10

STATE OF Nevada)
) SS.
COUNTY OF Douglas)

On 4-12-10, before me, Linda Allen, Notary Public,
personally appeared Theresa Avance,
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 Nevada that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: *Linda Allen*

