

OFFICIAL RECORD

Requested By:

TRPA

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-0910 PG- 3120 RPTT: 0.00



WHEN RECORDED MAIL TO:
TAHOE REGIONAL PLANNING AGENCY
Post Office Box 5310
Stateline, Nevada 89449
Attention: Linda S Bellotti, Associate Planner
TRPA File No.ERSP2009-3574

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
CONCERNING THE USE OF THE GARAGE AND THE LIVING
AREA ABOVE THE GARAGE ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1318-03-210-023**

This Deed Restriction is made by Richard H Parker Jr., Trustee of the Richard H Parker, Jr. Revocable Living Trust Dated March 30, 1993. (Hereinafter "Declarant")

RECITALS

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

Parcel 1:

Lot 35, as shown on the map entitled SKYLAND SUBDIVISION NO 1, filed for record in the Office of the County Recorder of Douglas County, Nevada, on February 27, 1958, as Document No. 12967.

Assessors Parcel No. 05-051-160.

Parcel 2:

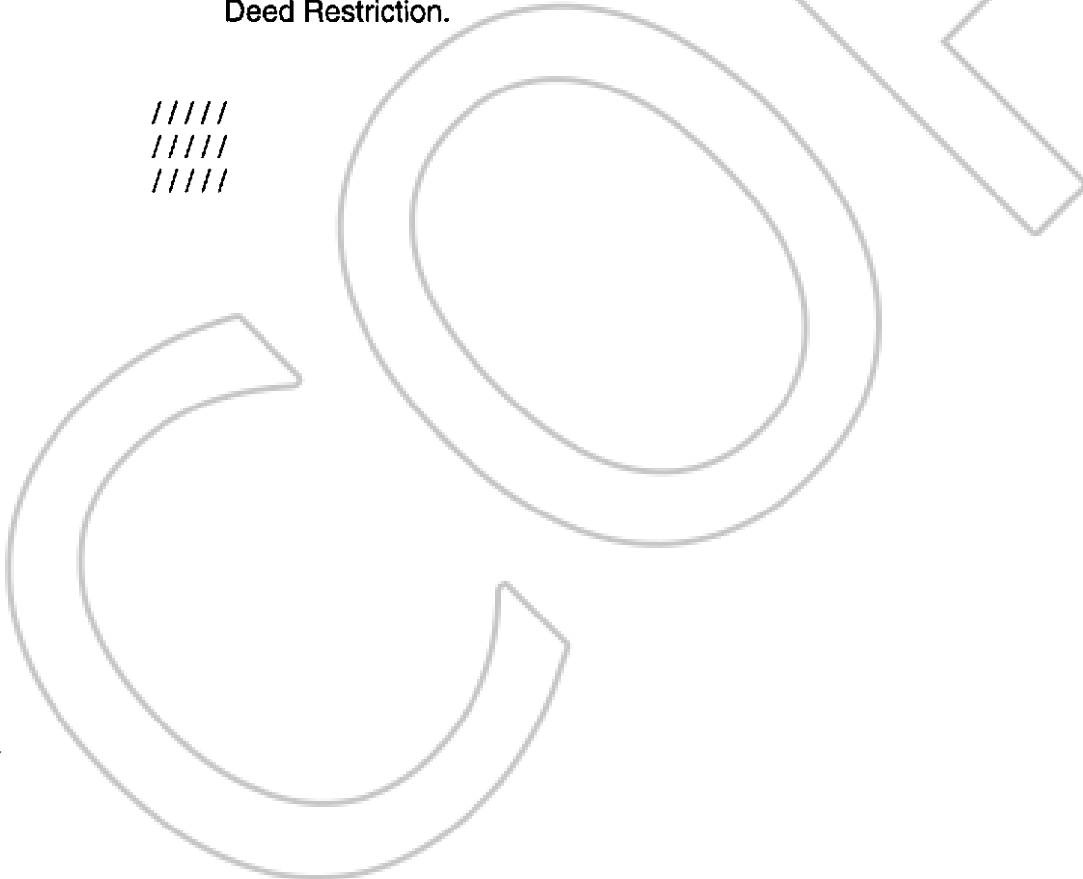
TOGETHER WITH a non-exclusive right-of-way for access to the waters of Lake Tahoe and for beach and recreational purposes as set forth in Deed recorded February 5, 1960, in Book 1, Page 268, Document No. 15573, Official Records.

2. The Declarant has received approval from the Tahoe Regional Planning Agency (hereinafter "TRPA") on September 10, 2010, to construct a residential addition above the detached garage, which includes accessory living space.
3. 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 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 that the deed restriction be recorded documenting the limits to the use of the garage and the living area located above the garage.

DECLARATION

1. Declarant declares that the garage, including the living area above the garage, is and shall be an accessory use to and part of the primary residence on the Property, and shall not be used independent of the primary residence or otherwise used in a fashion as to constitute a secondary residence or separate residential unit. The garage and living area above, as accessory uses, shall not be permitted to contain cooking facilities and shall not be leased, rented, or used separately from the primary residence on the Property. Use of the garage or upper floor living area as a separate independent 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 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.

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

Declarant's Signature:

Richard H Parker, Jr. Trustee Dated: 9/14/10
Richard H Parker, Jr. Trustee

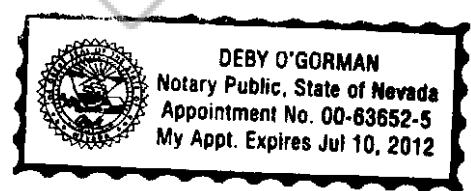
STATE OF Nevada)
) SS.
COUNTY OF Douglas)

On 09/14/2010, before me, Deby O'Gorman,
Notary Public, personally appeared Richard H Parker, 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.

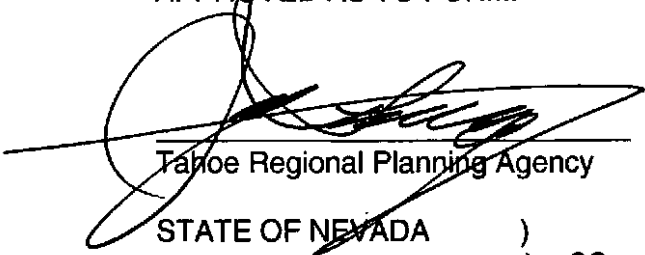
I certify under PENALTY OF PERJURY under the laws of the State of Nevada
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Deby O'Gorman
NOTARY PUBLIC



APPROVED AS TO FORM:



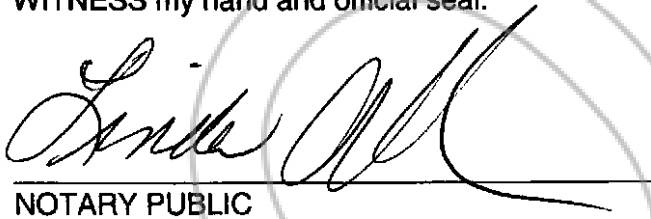
Tahoe Regional Planning Agency

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On 9-10-10, before me, Linda Allen,
Notary Public, personally appeared David Landry,
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.



NOTARY PUBLIC

