

OFFICIAL RECORD

Requested By:  
LYNN PETERSON

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-0611 PG- 4993 RPTT: 0.00

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449  
Attn: Patrick Dobbs, Associate Planner  
TRPA File No.: SUBD2007-0384



DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR COVERAGE ASSIGNMENT AND SHORELAND PROJECT AREA  
("DEED RESTRICTION")

TO BE RECORDED AGAINST APN 1318-16-801-003.

This Deed Restriction is made this 2nd day of April, 2009 by Lynn M. Peterson, as Trustee of the Lynn M. Peterson 2006 Trust (hereinafter "Declarant").

RECITALS

- 1. Declarant is the owner of certain real property located in Douglas County, State of Nevada, described as follows:

Parcel 1:

Beginning at a point twenty feet North of the South line of Section 16, Township 13 North, Range 18 East, M.D.B. & M., and twenty feet West of the East line of said Section 16, said point being marked by an iron pipe set in concrete, running thence North 0°2-1/2' West 148.05 feet parallel to the East line of said Section, to an iron pipe in concrete, thence South 86°25-1/2' West 368.26 feet to an iron pipe set in concrete on the meander line of Lake Tahoe; thence South 28°00' East along said meander line 142.32 feet to an iron pipe set in concrete at a point 20 feet north of the South line of said Section 16 produced; thence North 89°50-1/2' East parallel to the South line of said section 300.82 feet to the point of beginning; containing 1.06 acres.

Also that certain right of way for road purposes, as set forth under those certain agreements recorded in Book "R" of Deeds, page 557 and in Book "F" of Agreements, page 45, Douglas County Records, said right of way extending from the above described property to the public road.

Together with a right of way twenty feet wide as conveyed by deed recorded in Book T of Deeds, page 356, Douglas County Records.

Parcel 2:

A parcel of land having as its east boundary, the west boundary of said Parcel 1 description, its north boundary being the north boundary of said parcel 1 description extended westerly, its south boundary being the south boundary of said Parcel 1 description extended westerly and being bounded on the west by a line drawn on contour at elevation 6,223 feet, Lake Tahoe Datum.

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Said parcel was recorded in Document Number 0682106, Book 0806, Page 5269, on August 14, 2006, in the Official Records of Douglas County, Nevada, and having Assessor's Parcel Number 1318-16-801-003 (Hereinafter "Property").

2. 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 Tahoe Regional Planning Agency (hereafter "TRPA") pursuant to the Tahoe Regional Planning Compact.
3. Declarant received approval from the TRPA on July 8, 2008 to subdivide three existing structures into three legal lots of record. The approval was issued subject to certain conditions contained on said approval, including a condition that the Declarant record a deed restriction permanently assuring that land coverage calculations and shorezone structure review for the resulting parcels within the project area shall always be made as if the parcels had been consolidated into one parcel.
4. As a condition of the above approval, Chapter 20, Land Coverage, Section 20.3.D(1)(a) of the TRPA Code of Ordinances, requires that the parcels within the above project area be treated as if they had been permanently merged for the purpose of future land coverage calculations within the project area.
5. As a condition of the above approval, Chapter 41, Permissible Subdivisions, Section 41.3 of the TRPA Code of Ordinances, allows subdivisions to occur only if they do not create new development potential in the Region. In order to comply with this provision, the parcels resulting from the subdivision shall be treated as a project area for the purposes of shorezone structures.

#### DECLARATIONS

1. Declarant hereby declares that, for the purpose of satisfying TRPA's July 8, 2008 condition of approval, the Property consisting of APN 1318-16-801-003 identified herein shall always be treated as if the resulting subdivided parcels had been legally consolidated for the purposes of land coverage calculations and shorezone structures within the project area, and the application of TRPA ordinances pertaining to land coverage and shorezone structures.
2. This Deed Restriction shall be deemed a covenant running with the land, or an equitable servitude, as the case may be, and shall be binding on the Declarants and Declarant's assigns, and all persons acquiring or owning any interest in the property.
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 shall be 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:  
*Lynn M. Peterson*  
Lynn M. Peterson

Dated: 4-2-09

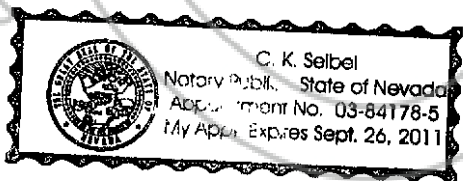
STATE OF Nevada  
COUNTY OF Douglas SS.

On 4-2-09, before me, *C. K. Seibel*, Notary Public, personally appeared *Lynn Peterson*, 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: *C. K. Seibel*





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APPROVED AS TO FORM:

Wendy Jepson  
Tahoe Regional Planning Agency

Dated: 7-8-08

STATE OF Nevada )  
                          ) SS.  
COUNTY OF Douglas )

On July 8<sup>th</sup>, 2008, before me, Danna Meyer, 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.

Signature: Danna M Meyer

