

**OFFICIAL RECORD**

Requested By:  
SLOAN H GORDON

**RECORDING REQUESTED BY:**

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

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 of 15 Fee: 28.00  
BK-1111 PG- 1761 RPTT: 0.00

**WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449  
Attn: Theresa Avance, Senior Planner  
TRPA File Numbers 970733 and ADMIN 2011-0007



**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
REVOKING DEED RESTRICTION FILED ON JUNE 24, 1998  
TO BE RECORDED AGAINST APNS 1418-34-401-018 AND 1418-34-401-019  
(FORMERLY APNS 003-220-18 AND 003-220-19)  
("DEED RESTRICTION")**

This Deed Restriction is made this 22 day of September, 2011, by Edward Halligan Adair and Jennifer Kaye Adair (or their successors in Trust) as Trustees of the Edward and Jennifer Adair 2005 Living Trust, dated July 22, 2005, and Stanley C. Summers, an unmarried man (hereinafter "Declarants").

**RECITALS**

1. Declarants are the owners of certain real property located in Douglas County, described as follows:

Parcel A:

See attached "Exhibit A".

Said parcel was recorded under Document number 0657885, Book 1005, Page 7003, on October 17, 2005 in the Office of the Douglas County Recorder, and having Assessor's Parcel Numbers (APN) 1418-34-401-018.

Parcel B:

See attached "Exhibit B".

Said parcel was recorded under Document number 0444509, Book 0798, Page 3010, on July 16, 1998 in the Office of the Douglas County Recorder, and having Assessor's Parcel Numbers (APN) 1418-34-401-019.

Parcels A and B are hereinafter collectively referred to as the "Properties".

2. The Properties 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 Tahoe Regional Planning Agency (hereafter "TRPA") pursuant to the Tahoe Regional Planning Compact.
3. Declarants received approval from the TRPA on December 11, 1997, to adjust the boundary lines between the two parcels, subject to certain conditions contained on said approval, including a condition that the Declarants record a deed restriction assuring that for purposes of future coverage calculation and applying TRPA's ordinances pertaining to land coverage, the two parcels would be treated as though legally merged. That deed restriction was recorded in the Office of the County Recorder, Douglas County, Nevada on June 24, 1998 in Document Number 0442662, Book 0698, Page 5237 attached hereto as "Exhibit C" and incorporated herein by reference.
4. Following submittal of an Administrative Determination application by the Declarants (TRPA File ADMIN2011-0007), the TRPA has determined that the deed restriction was not required for the lot line adjustment to meet the standards of the TRPA Code of Ordinances, and the deed restriction is not necessary and may be rescinded.

#### DECLARATIONS

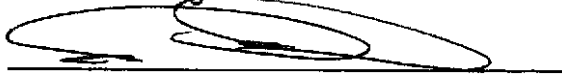
1. Declarants hereby revoke, with TRPA's consent, the deed restriction attached in "Exhibit C". Declarants and TRPA declare that the deed restriction in "Exhibit C" shall have no further force and effect from this day forward.
2. This Deed Restriction shall be deemed a covenant running with the land, 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 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.

///  
///  
///

BK- 1111  
PG- 1762  
0792285 Page: 2 Of 15 11/08/2011

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

Declarant's Signature:



Edward Halligan Adair, Trustee

Dated: 12/4/11

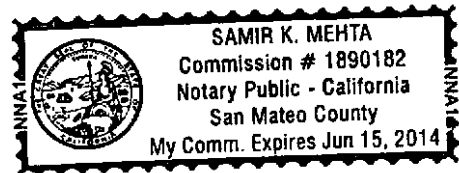
STATE OF CALIFORNIA  
COUNTY OF SAN MATEO } SS.

On 4<sup>th</sup> NOV. 2011, before me, SAMIR K. MEHTA, Notary Public, personally appeared EDWARD HALLIGAN ADAIR —, 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: Samir K. Mehta



BK- 1111  
PG- 1763  
0792285 Page: 3 Of 15 11/08/2011

Declarant's Signature:

Jennifer Kaye Adair  
Jennifer Kaye Adair, Trustee

Dated: 11/4/11

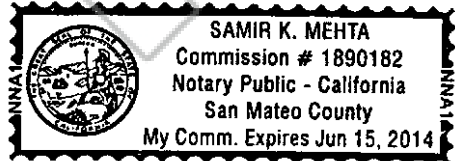
STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF SAN MATEO )

On 4<sup>th</sup> NOVEMBER, 2011, before me, SAMIR K. MEHTA, Notary Public, personally appeared JENNIFER KAYE ADAIR, 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: Samir K. Mehta



BK- 1111  
PG- 1764  
0792285 Page: 4 Of 15 11/08/2011

BK- 1111  
PG- 1765  
11/08/2011  
0792285 Page: 5 of 15

Declarant's Signature:

Stanley C. Summers  
Stanley C. Summers

Dated: November 7, 2011

STATE OF NEVADA,  
COUNTY OF Douglas SS.

On November 7, 2011, before me, Julia Blair, Notary Public, personally appeared Stanley C. Summers, 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: Julia Blair

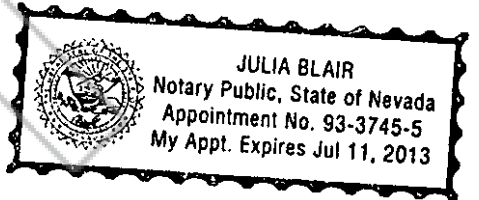




EXHIBIT "A"

PARCEL I:

All that portion of Parcel 1 as shown on that certain Parcel Map, filed for record on November 23, 1976, as Document #04827, more particularly described as follows:

Beginning at the Southeast corner of said Parcel 1; thence North 90 degrees 53'44" West 174.48 feet; thence North 0 degrees 30'54" East 163.80 feet; thence South 89 degrees 53'27" East 175.39 feet; thence South 0 degrees 50'00" West 163.79 feet (South 01 degrees 02'26" West 163.78 feet record) to the POINT OF BEGINNING.

PARCEL II:

TOGETHER WITH an easement for roadway and utility purposes over, under and across the following described land:

A parcel of land being situated in and a portion of the North ½ of the South ½ of the South ½ of Lot 4 (Southwest ¼) of Section 34, Township 14 North, Range 18 East, M.D.B. & M., more particularly described as follows, to-wit:

COMMENCING at the ¼ corner common to Section 34, Township 14 North, Range 18 East, and Section 3, Township 13 North, Range 18 East, M.D.B. & M.; thence from said Point of Commencement North 29 degrees 59'42" West, a distance of 378.30 feet to the TRUE POINT OF BEGINNING; said point being further a point on the Westerly right-of-way line of U.S. Highway 50; thence South 11 degrees 18'47" East, along said Highway right-of-way line a distance of 20.21 feet to a point; thence North 89 degrees 53'27" West, a distance of 642.45 feet to a point; thence South 60 degrees 06'39" West, a distance of 60.00 feet; thence South 00 degrees 30'54" West, a distance of 10.00 feet to a point; thence North 89 degrees 53'44" West, a distance of 25.00 feet to a point; thence North 00 degrees 30'54" East, a distance of 60.00 feet to a point; then South 89 degrees 53'27" East, a distance of 713.38 feet more or less to the Westerly right-of-way line of U.S. Highway 50, as above referred to.

"Per NRS 111.312, this legal description was previously recorded at Document No.521245, Book0801, Page6320, on 9-23-01."

EXHIBIT B

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

All that portion of Parcel 1 and 2 as shown on that certain Parcel Map, filed for record on November 23, 1976, as Document #04827, more particularly described as follows:

Beginning at the Southeast corner of said Parcel 2; thence North 89 53'14" West 236.44 feet to a point on the approximate High Water Line of Lake Tahoe; thence Northeasterly along the approximate High Water Line 182 feet, more or less, thence South 89 53'27" East 159.10 feet; thence South 0 30'54" West 163.80 feet to the POINT OF BEGINNING.

Containing 32,467 square feet, more or less.

The Basis of Bearing for this description is the above referenced Parcel Map.

Note: Refer this description to your title company before incorporating into any legal document.



EXHIBIT C

**CONFORMED COPY**  
Has not been compared  
to the original

RECORDING REQUESTED BY:

TAHOE REGIONAL PLANNING AGENCY  
P. O. Box 1038  
Zephyr Cove, NV 89448

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448  
Attention: Paul Nielsen, Associate Planner

97022174

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
LOT LINE ADJUSTMENTS ("DEED RESTRICTION")**

**RECITALS**

1. Declarants are the owners, or legal representatives of the owners of real property located in Douglas County, State of Nevada, described as Parcels 1 and 2 in Exhibit A and recorded in the Office of the Douglas County Recorder, in book 1081, pages 140, 141, and 142, document #60865, recorded October 2, 1981, and further described in book 377, page 131 - 133, recorded March 3, 1977.
2. The Declarants received approval from the Tahoe Regional Planning Agency ("TRPA") on December \_\_, 1997, to adjust the boundary lines between the two parcels, and thereby create two parcels described as parcels "A" and "B" as described in Exhibit B. The lot line adjustment shall be in accordance with Exhibit C attached hereto and incorporated herein by reference.
3. Parcel "A" and "B" 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 34 of the TRPA Code of Ordinances requires that appropriate deed restrictions be recorded documenting that the lot line adjustment will create no development or potential development.





Deed Restriction (APNs 03-220-18/19)  
Summers/Stambaugh  
Page 3 of 3

Notary signature

My commission expires \_\_\_\_\_

APPROVED AS TO FORM:

*[Signature]*

Dated: 11/6/98

TAHOE REGIONAL PLANNING AGENCY EXECUTOR DIRECTOR OR DESIGNEE:

STATE OF NEVADA

COUNTY OF DOUGLAS

)  
) ss.  
)

On this day of Nov 1998, before me, personally appeared Rachelle J. Neille, 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 behalf of which the person(s) acted executed the instrument.

*[Signature]*  
Notary Public

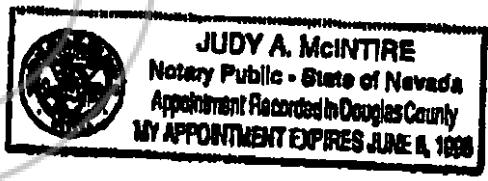


EXHIBIT "A"

DESCRIPTION

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land being situated in and a portion of the North 1/2 of the South 1/2 of the South 1/2 of Lot 4 (Southwest 1/4) of Section 34, Township 14 North, Range 18 East, M.D.B. & M., and the meander line of Lake Tahoe more particularly described as follows, to-wit:

COMMENCING at the 1/4 corner common to Section 34, Township 14 North, Range 18 East, and Section 3, Township 13 North, Range 18 East, M.D.B. & M.; thence from said point of commencement North 0°30'54" East along the 1/4 Section line of Section 34, a distance of 347.40 feet to a point; thence North 89°53'27" West, a distance of 707.50 feet to a point; said point being the Northwest corner of the parcel of land conveyed to RUSSELL R. HALL, et ux, in Deed recorded June 7, 1960, in Book 2, Page 511, Official Records; thence South 01°02'26" West, a distance of 20.00 feet to a point; thence North 89°53'27" West, a distance of 124.05 feet to a point; thence South 60°06'39" West, a distance of 60.00 feet to a point; thence South 00°30'54" West, a distance of 10.00 feet to the True Point of Beginning; thence North 89°53'44" West, a distance of 136.33 feet to a point, which is marked by a set 5/8 inch rebar capped R.L.S. 2280; thence continuing North 89°53'44" West, a distance of 47 feet more or less to the meander line of Lake Tahoe; thence Southwesterly and Southerly along said meander line a distance of 130 feet more or less to a point; said point being the Northwest corner of the parcel of land conveyed to HUGH W. KILLEBREW, et ux, in Deed recorded September 9, 1974, in Book 974, Page 137, Official Records; thence South 89°53'44" East, a distance of 236.44 feet to a point; thence North 00°30'54" East, a distance of 103.78 feet to the POINT OF BEGINNING.

Said land more fully shown as Parcel No. 2 as set forth on that certain Parcel Map filed for record in the office of the County Recorder of Douglas County, Nevada, on November 23, 1976, as Document No. 04827.

TOGETHER WITH an easement for roadway and utility purposes over, under and across the following described land:

A parcel of land being situated in and a portion of the North 1/2 of the South 1/2 of the South 1/2 of Lot 4 (Southwest 1/4) of Section 34, Township 14 North, Range 18 East, M.D.B. & M., more particularly described as follows to-wit:

COMMENCING at the 1/4 corner common to Section 34, Township 14 North, Range 18 East, and Section 3, Township 13 North, Range 18 East, M.D.B. & M.; thence from said point of commencement North 29°59'42" West, a distance of 378.30 feet to the True Point of Beginning; said point being further

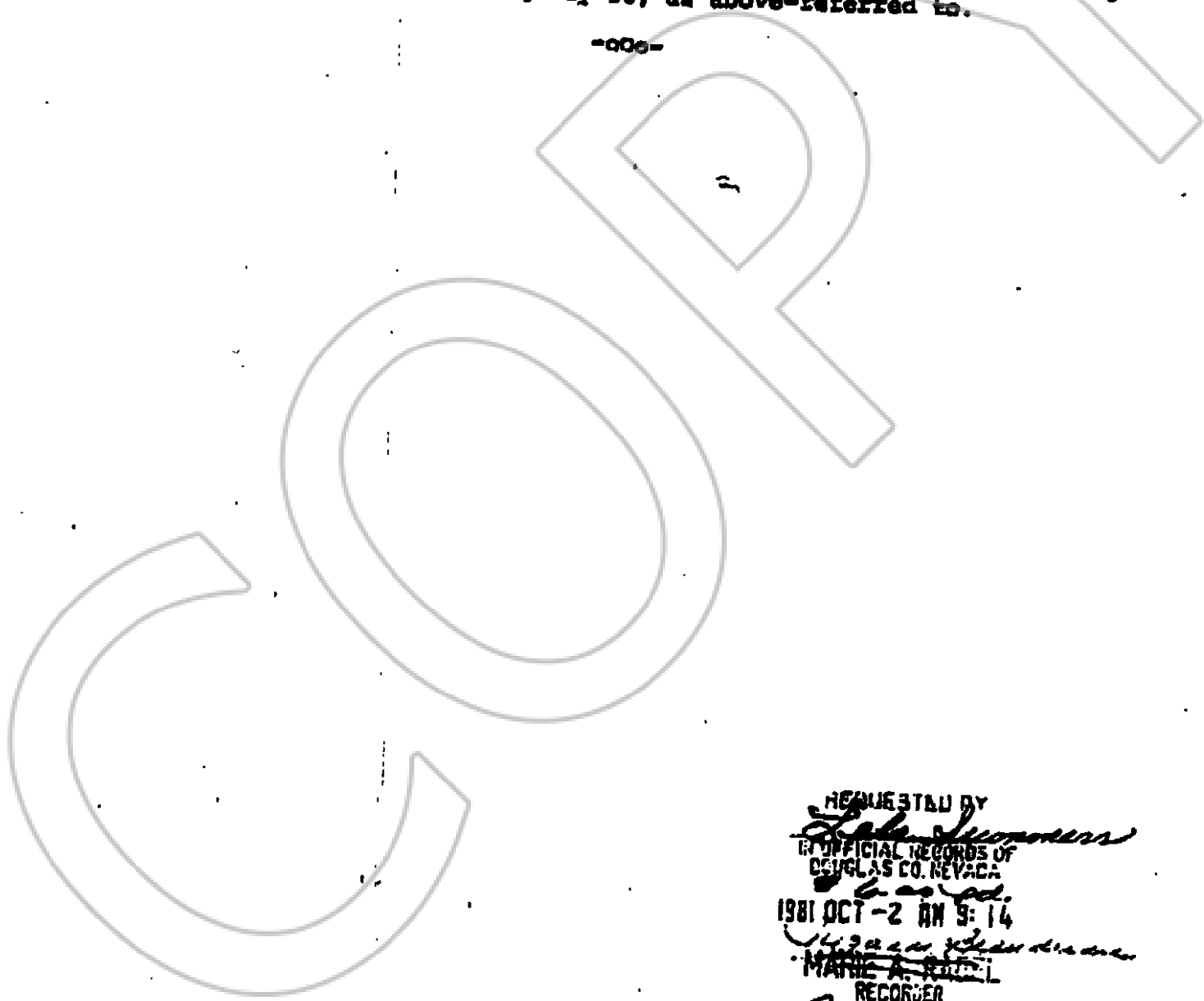
(continued)

60865  
LIBER 1081 PAGE 141

EXHIBIT "A" - DESCRIPTION (CONT.)

a point on the Westerly right-of-way line of U. S. Highway 50; thence South 11°18'47" East, along said Highway right-of-way line a distance of 20.21 feet to a point; thence North 89°53'27" West, a distance of 642.45 feet to a point; thence South 60°06'39" West, a distance of 60.00 feet; thence South 00°30'54" West, a distance of 10.00 feet to a point; thence North 89°53'44" West, a distance of 25.00 feet to a point; thence North 00°30'54" East, a distance of 60.00 feet to a point; thence South 89°53'27" East, a distance of 713.38 feet more or less to the Westerly right-of-way line of U. S. Highway 50, as above-referred to.

-000-



REQUESTED BY  
*John Summers*  
IN OFFICIAL RECORDS OF  
CLAYTON CO. NEVADA  
*6-2-14*  
1981 OCT -2 AM 9:14  
*Marie A. Fitch*  
MARIE A. FITCH  
RECORDER  
*Carl E. Hart* 60865  
Deputy LIBER 1081 PAGE 142



JN 97126  
11-17-97

**DESCRIPTION**  
Adjusted ADW 03:238:18

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

All that portion of Parcel 1 as shown on that certain Parcel  
Map, filed for record on November 22, 1976, as Document  
804827, more particularly described as follows:

Beginning at the Southeast corner of said Parcel 1;  
thence North 89° 53' 44" West 174.68 feet;  
thence North 0° 30' 54" East 163.80 feet;  
thence South 89° 53' 27" East 178.79 feet;  
thence South 0° 50' 00" West 163.79 feet (South 01° 02' 26" West  
163.78 feet record) to the POINT OF BEGINNING.

Containing 28,682 square feet, more or less.

The Basis of Bearing for this description is the above  
referenced Parcel Map.

Note: Refer this description to your title company  
before incorporating into any legal document.

Prepared by: Turner & Associates, Inc.  
Land Surveying  
PO Box 8867  
Spacelina, NV 89449



*Ronald W. Turner*  
11/17/97

**CONFORMED COPY**

Has not been compared  
to the original

Exhibit "C"

JN 97126  
11-17-97

**DESCRIPTION**  
Adjusted AFR 03:220:19

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

All that portion of Parcel 1 and 2 as shown on that certain Parcel Map, filed for record on November 23, 1976, as Document 004887, more particularly described as follows:


Beginning at the Southeast corner of said Parcel 2; thence North 03 03'14" West 226.64 feet to a point on the approximate High Water Line of Lake Tahoe; thence Northwesterly along the approximate High Water Line 182 feet, more or less, thence South 03 03'27" East 129.13 feet; thence South 0 30'04" West 163.00 feet to the POINT OF BEGINNING.

Containing 22,467 square feet, more or less.

The Basis of Starting for this description is the above referenced Parcel Map.

**Note:** Refer this description to your title company before incorporating into any legal documents.

Prepared by: Turner & Associates, Inc.  
Land Surveying  
PO Box 5067  
Stateline, NV 89449

  
11/17/97

**CONFORMED COPY**  
HAS NOT BEEN COMPARED  
TO THE ORIGINAL

REQUESTED BY LP8/5237

IN OFFICIAL RECORDS OF  
COUNTY OF DOUGLAS, NV

'98 JUN 24. 10:29

LINDA SLATER  
RECORDER

\$ PAID DEPUTY.

0442662.