

APN 1318-23-411-002

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OFFICIAL RECORD
Requested By:
First American Title Mindel
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 5 Fee: \$18.00
BK-1211 PG-3746 RPTT: 0.00



**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Nevada Land Bank
Nevada Division of State Lands
901 S. Stewart Street, Suite 5003
Carson City, Nevada 89701

Escrow No. 2414518rt
First American Title Co., Minden, Nevada

This instrument is being recorded as an "Accommodation Only" by First American Title Insurance Company and has not been examined as to its validity, execution or its effect upon title, if any.

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR DEVELOPMENT RIGHT TRANSFER ("DEED RESTRICTION")**

This Deed Restriction is made this 16th day of November, 2011 by Nevada Division of State Lands ("Declarant").

RECITALS

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

Lot 3 of Pine Ridge Subdivision, according to the map thereof, filed in the Office of the County Recorder of Douglas County, Nevada on August 8, 1956 in Book 1 of Maps, Page 143, as File No. 11664.

2. WHEREAS, Declarant has received approval from the Tahoe Regional Planning Agency (hereinafter "TRPA") on October 18, 2011 to transfer ONE (1) development right as defined in TRPA Code of Ordinances, Chapter 34, to the following Receiving Parcel:

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

A tract of land located in the NW ¼ of Section 18, T.13N, R. 19E., M.D.B.&M., Douglas County, Nevada, being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 18, Thence N 89°38'45" E along the East-West Centerline of said Section 18, a distance of 852.90' feet to the True Point of Beginning, being monumented by a found No 4 Rebar Capped by PLS 7311;



Thence N 11°00'51" E (recorded N10°54'31"E) a distance of 45.15' feet (recorded 45.24' feet), to a No 4 Rebar Capped by PLS 7311, also being the beginning point of a tangent curve concave to the South-East;

Thence along a tangent curve concave to the South-East, where the delta angle is 22°30'00", the radius is 175.00' feet, and the arc length is 68.72' feet, where the chord bears N21°52'49" E, a distance of 68.28' feet, to a point monumented with a No 4 Rebar Capped by PLS 7311;

Thence N 33°18'29" E (recorded N 33°34'11" E) a distance of 619.79' feet (recorded 620.00' feet) to a No 4 Rebar Capped by PLS 7311;

Thence S 56°24'39" E (recorded N 56°25'29" E) a distance of 171.12' feet (recorded 170.00' feet) to a No 4 Rebar Capped by PLS 731;

Thence S 28°19'13" E (recorded N 28°12'49" E) a distance of 297.03' feet (recorded 297.75') feet, to a No 4 Rebar Capped by PLS 7311;

Thence S 16°09'17" W (recorded S 16°17'25" W) a distance of 118.12' feet (recorded 118.26' feet) to a No 4 Rebar Capped by PLS 7311, being the beginning point of a non-tangent curve concave to the South;

Thence along a non-tangent curve concave to the South, where the delta angle is 76°23'56", the radius is 124.12' feet (recorded 125.00' feet), and the arc length is 165.50' feet (recorded 166.68' feet), where the chord bears N 88°56'04" W a distance of 153.51 feet, to a point monumented with a No 5 Rebar Capped by PLS 7880, being the beginning point of a non-tangent curve concave to the West;

Thence along a tangent curve concave to the West, where the delta angle is 9°32'42", the radius is 175.00' feet, and the arc length is 29.15' feet, where the chord bears S 13°43'39" W a distance of 29.12' feet to a point monumented with a No 5 Rebar Capped by PLS 7880;

Thence N 71°29'52" W a distance of 160.00' feet, to a No 5 Rebar Capped by PLS 7880; Thence S 42° 29'24" W a distance of 100.14' feet, to a No 5 Rebar Capped by PLS 7880;

Thence S 77°20'24" E a distance of 185.92' feet to a No 5 Rebar Capped by PLS 7880;

Thence S 43°00'00" W a distance of 89.21' feet to an Iron Pipe with a Plug by PLS 3519, being a point on the East-West Center line of said Section 18;

Thence S 89°45'26" W (recorded S 89°38'45" W) a distance of 365.82' feet (recorded 366.45' feet), to the True Point of Beginning.



Per NRS 111.312, this legal description was previously recorded on January 26, 2006 in Book 0106, Page 8617 as Document No. 0666494, of Official Records, Douglas County, State of Nevada.

Together with all tenements, hereditaments and appurtenances, including easement and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

3. WHEREAS, both the Sending Parcel and the Receiving Parcel are located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 98-551, 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. WHEREAS, the "Nevada Land Bank" was established per the Memorandum of Understanding dated July 10, 2000, between the TRPA and the Department of Conservation and Natural Resources, Nevada Division of State Lands, wherein said MOU allows, in part, the Nevada Land Bank to transfer land coverage and other development rights.
5. WHEREAS, as a condition of the transfer approval, Chapter 34 of the TRPA Code of Ordinances requires that the appropriate deed restriction be recorded against the Sending Parcel documenting the retirement of the development right and that the Sending Parcel be maintained in a natural or near-natural state.

DECLARATIONS

NOWHEREFORE, for a valuable consideration the receipt and sufficiency of which is hereby acknowledged, Declarant hereby declares:

1. Declarant hereby declares that the Sending Parcel described above is, and shall be, deemed by TRPA to have permanently transferred the residential development right assigned to the Sending Parcel as defined in Chapter 21 of the Code of Ordinances. The Sending Parcel is not eligible for a residential unit of use unless or until TRPA approves the transfer of a residential development right or an existing unit of residential development to the Sending Parcel, in accordance with the ordinances then in effect. Any such future transfer shall be evidenced by a recorded instrument approved by TRPA.
2. Declarant declares that the Receiving Parcel, described above, is hereby deemed to have received ONE (1) residential development right from the Sending Parcel. Said residential development right does not constitute project approval or a vested right to development.
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



Parcel and shall be binding on the Declarant and Declarant's successors and assigns and all persons acquiring or owning any interest in the Sending 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.

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

NEVADA DIVISION OF STATE LANDS

By:
 James R. Lawrence, Administrator
 Nevada Division of State Lands

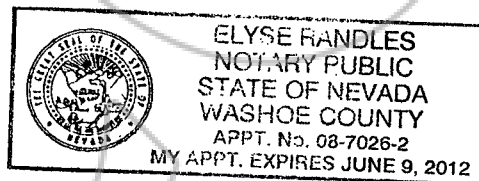
Date: 11/7/11

STATE OF NEVADA)
) ss
 CITY OF CARSON CITY)

On this 7th day of NOVEMBER, 2011, before me, personally appeared James R. Lawrence personally known to me, (or proved on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon their behalf of which the person acted, executed the instrument.

NOTARY PUBLIC

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APPROVED AS TO FORM:

TAHOE REGIONAL PLANNING AGENCY

Jill Rozier
Jill Rozier

STATE OF NEVADA)
) ss
COUNTY OF Douglas)

On this 16th day of November, 2011, before me, Linda Allen personally appeared Jill Rozier, personally known to me, (or proved on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon their behalf of which the person acted, executed the instrument.

Linda Allen
NOTARY PUBLIC

