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OFFICIAL RECORDS

Requested By
TAHOE REGIONAL PLANNING AGENCY

DOUGLAS COUNTY RECORDERS
Karen Ellison - Recorder

Page: 1 Of 9 Fee: \$ 22.00

Bk: 0113 Pg: 7050



Deputy ar

RECORDING REQUESTED BY:

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

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
Attn: Theresa Avance, Senior Planner
TRPA File # LLAD2010-0081

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PROJECT AREA AND COVERAGE CALCULATIONS ("DEED RESTRICTION")
TO BE RECORDED AGAINST APNs 1418-34-101-001, 1418-34-101-004, 1418-34-101-007, 1418-34-101-008, 1418-34-101-009, AND 1418-34-101-010**

This Deed Restriction is made this 24 day of January, 2013 by Cave Rock Junction, LLC, a Nevada Limited liability Company, and Phat Pads Inc. (hereinafter "Declarants").

RECITALS

1. Declarants are the owners of certain real property located in ^{Douglas} ~~Placer~~ County, State of ^{Nevada} ~~California~~, described as follows:

Parcel A:

See Exhibit "A"

Said parcel was recorded as document number 0544687, Book 0602, Page 04503 on June 14, 2002, in the Office of the Douglas County Recorder and having Assessor's Parcel Number 1418-34-101-001 (formerly APN 003-150-01).

Parcel B:

See Exhibit "B"

Said parcels were recorded in signature counterpart in the Office of the Douglas County Recorder on July 3, 2003 as document number 0582509, Book 0703, Page 02000; on July 3, 2003 as document number 0582511, Book 0703, Page 02007; and on July 9, 2003 as document number 0582754, Book 0703, Page 03487, and having Assessor's Parcel Numbers 1418-34-101-009, 1418-34-101-004, and 1418-34-101-010.

Parcel C:

See Exhibit "C"

Said parcels were recorded as document number 0579362, Book 0603, Page 03997 on June 9, 2003, in the Office of the Douglas County Recorder and having Assessor's Parcel Numbers 1418-34-101-007, and 1418-34-101-008.

Parcels 1, 2, 3, 4, 5, and 6 are hereinafter collectively referred to as the "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. Declarants received approval from the TRPA on October 7, 2010 for a boundary line adjustment (LLAD2010-0081), subject to certain conditions contained on said approval, including a condition that Declarants record a deed restriction permanently assuring that the coverage calculations for the parcels within the project area shall always be made as if the parcels had been legally consolidated.
4. As a condition of the above approval, Chapter 30, Land Coverage, Section 30.4.1.C.2(a)(iii) of the TRPA Code of Ordinances, requires that the parcels within the above project area be treated as if legally consolidated for the purpose of future land coverage calculations within the project area.

DECLARATIONS

1. Declarants hereby declare that, for the purpose of satisfying TRPA's October 7, 2010 condition of approval, the Property identified herein shall always be treated as if the lots had been legally consolidated for the purposes of land coverage calculations within the project area, and the TRPA ordinances pertaining to land coverage.
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 Declarants' 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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Exhibit A

All that referred to herein is situated in the State of Nevada, County of Douglas, described as follows:

A parcel of land situate between the east right of way line of the State Highway, and the East boundary line of Section 34, Township 14 North, Range 18 East, M.D.B.&M., described as follows:

Beginning at the ¼ corner common to Section 27 and 34, Township 14, Range 18 East, M.D.B.&M., thence South 0°30'54" West, a distance of 360.00 to a point; thence North 89°44'15" West, a distance of 908.20 feet to a point; thence North 26°56'00" East, a distance of 134.29 feet, thence continuing North to the Southwest corner of Cave Rock Village Subdivision, thence East along the South boundary line of said Cave Rock Village Subdivision, a distance of 839.84 feet more or less to the Southeast corner of said Subdivision; thence North along the East boundary line of said Subdivision a distance of 234.66 feet to the Northeast corner of said Subdivision; thence East a distance of 4.71 feet more or less to the ¼ corner common to Said Section 27 and 34, to the Point of Beginning.

The above metes and bounds description appeared previously in that certain QUITCLAIM DEED, recorded in the office of the County Recorder of Douglas County, Nevada on October 1, 2001 in Book 1001, Page 0256, as Document No. 05241117, of Official Records.

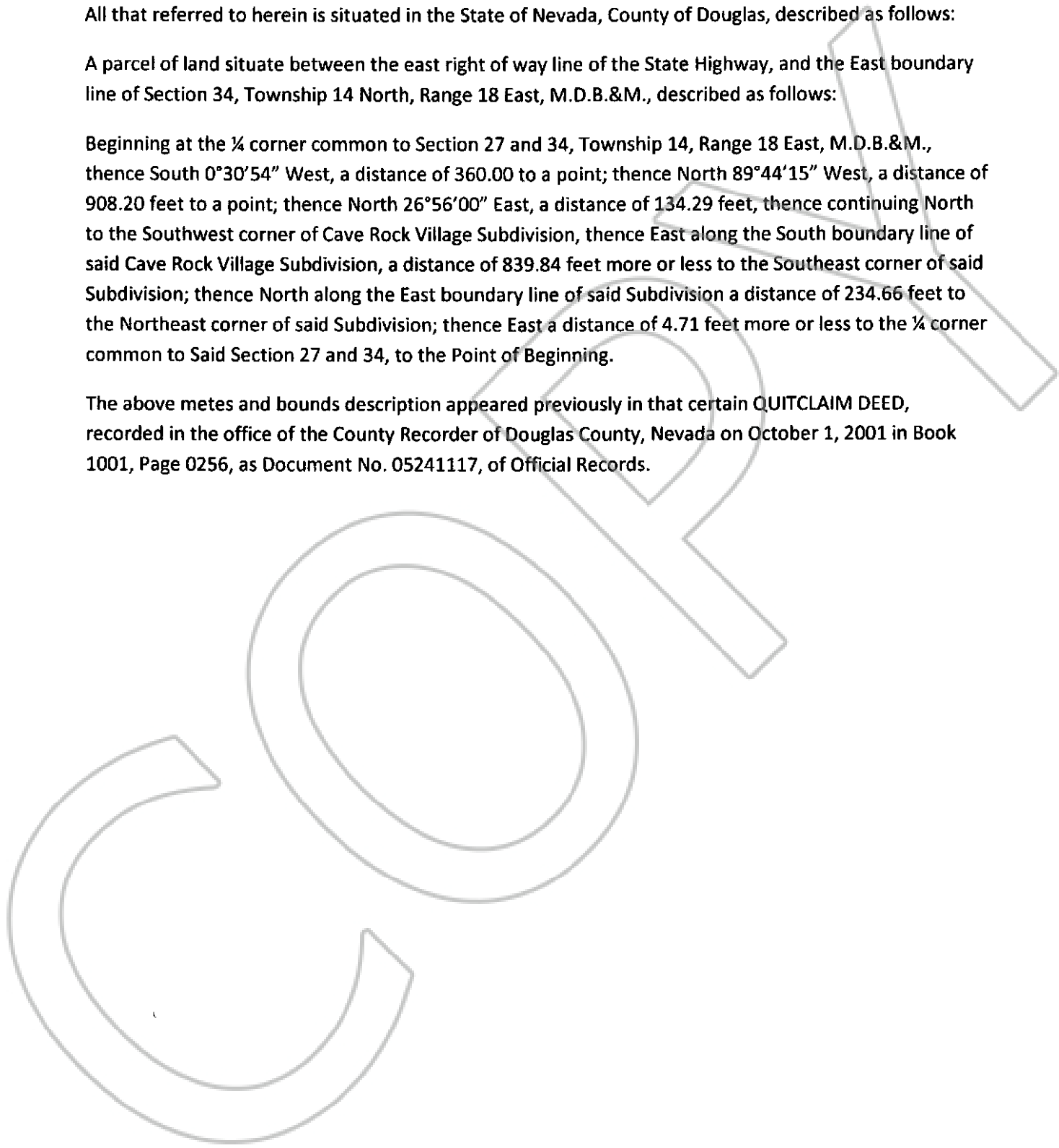


Exhibit B

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

A portion of the Northeast ¼ of the Northwest ¼ of Section 34, Township 14 North, Range 18 East, M.D.B.&M., and being more particularly described as follows, to-wit:

PARCEL ONE:

Beginning at the one-quarter section corner common to Section 34 and 27 of Township 14 North, Range 18 East, M.D.B.&M., thence South 0°28'52" West, along said one-quarter Section line, a distance of 360.00 feet to the Northeast corner of the Hozempa property; thence North 89°42'34" West along the North boundary of the Hozempa property, a distance of 600.00 feet to the true point of beginning; thence North 89°42'34" West along said property line, a distance of 100.00 feet to a point; thence South 0°17'26" West a distance of 120.00 feet to a point on the South property line; thence South 89°42'34" East along said property line, a distance of 100.00 feet to a point; thence North 0°17'26" East a distance of 120.00 feet to the true point of beginning.

PARCEL TWO:

Beginning at the one-quarter section corner common to Section 34 and 27, Township 14 North, Range 18 East, M.D.B.&M., thence South 0°28'52" West, along said one-quarter Section line, a distance of 360.00 feet to a point; thence North 89°42'34" West, along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 100 feet to the point of beginning; thence continuing North 89°42'34" West, along the North boundary of the parcel so conveyed to Grantor, a distance of 100 feet to a point; thence South 0°17'26" West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South 89°42'34" East, along said property line, a distance of 100 feet to a point; thence North 0°17'26" East a distance of 120 feet to the point of beginning.

PARCEL THREE:

Beginning at the one-quarter section corner common to Section 34 and 27, Township 14 North, Range 18 East, M.D.B.&M., thence South 0°28'52" West, along said one-quarter Section line, a distance of 360.00 feet to the point of beginning, thence North 89°42'34" West, along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 100 feet to a point; thence South 0°17'26" West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South 89°42'34" East, along said property line, a distance of 100 feet to a point on the one-quarter Section line; thence North along said one-quarter Section line East a distance of 120.00 feet to the point of beginning.

PARCEL FOUR:

Being a right of way 20' in width, appurtenant to Parcels One and Two as conveyed in the Deeds to Benjamin Johnson, et al, recorded October 13, 1966 in Book 45 of Official Records at page 131 and 137, Douglas County, Nevada.

The above metes and bounds description appeared previously in that certain document recorded April 18, 1994 in Book 494, page 3103 as Document No. 335358 of Official Records.

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Exhibit C

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

A portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 14 North, Range 18 East, M.D.B.&M., and being more particularly described as follows:

PARCEL 1A:

Beginning at the $\frac{1}{4}$ section corner common to Section 34 and 27 Township 14 North, Range 18 East, M.D.B.&M., thence South $0^{\circ}28'52''$ West, along said $\frac{1}{4}$ Section line, a distance of 360.00 feet to a point, thence North $89^{\circ}42'34''$ West, along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 200.00 feet to the point of beginning; thence continuing North $89^{\circ}42'34''$ West, along the North boundary of the parcel conveyed to Grantor, a distance of 100.00 feet to a point; thence South $0^{\circ}17'26''$ West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South $89^{\circ}42'34''$ East, along said property line, a distance of 100.00 feet to a point; thence North $0^{\circ}17'26''$ East a distance of 120.00 feet to the point of beginning.

PARCEL 1B:

A non-exclusive easement for road and utility purposes as set forth in the Deed recorded October 3, 1938 in Book V, Page 103, Document No. 5063, Deed Records.

PARCEL 2A:

Beginning at the $\frac{1}{4}$ section corner common to Section 34 and 27 Township 14 North, Range 18 East, M.D.B.&M.; thence South $0^{\circ}28'52''$ West, along said $\frac{1}{4}$ Section line, a distance of 360.00 feet to a point; thence North $89^{\circ}42'34''$ West along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 300.00 feet to the point of beginning; thence continuing North $89^{\circ}42'34''$ West, along the North boundary of the parcel so conveyed to Grantor, a distance of 100.00 feet to a point; thence South $0^{\circ}17'26''$ West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South $89^{\circ}42'34''$ East, along said property line, a distance of 100.00 feet to a point; thence North $0^{\circ}17'26''$ East, a distance of 120.00 feet to the point of beginning.

PARCEL 2B:

A non-exclusive easement for road and utility purposes as set forth in the Deed recorded October 3, 1938 in Book V, Page 103, Document No. 5063, Deed Records.

The above metes and bounds description appeared previously in that certain document recorded August 26, 1980 in Book 880, Page 1838 as Document No. 47837 of Official Records.