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Doc Number: **0840005**

03/25/2014 01:28 PM

OFFICIAL RECORDS

Requested By
FRED COHEN

DOUGLAS COUNTY RECORDERS
Karen Ellison - Recorder

Page: 1 of 7 Fee: \$ 20.00

Bk: 0314 Pg: 4336



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
Attention: Patrick Dobbs, Associate Planner
TRPA File No. TRAN2014-0174

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR COVERAGE ASSIGNMENT ("DEED RESTRICTION")
TO BE RECORDED AGAINST APNs 1318-22-002-103**

This Deed Restriction is made this 25 day of March, 2014, by Del LaFountain pursuant to an irrevocable Power-of-Attorney recorded June 17, 2004 in the Douglas County Recorder's Office as Document Number 0616419 entitled by Meadowbrook LP, and Del LaFountain, dated June 16, 2004 (hereinafter "Declarant").

RECITALS

1. Declarant is authorized to transfer land coverage from certain real property located in Douglas County, State of Nevada, described as follows:

Parcel 1 as set forth on Parcel Map LDA 03-088 for Meadow Brook Associates, L.P. filed for record in the Office of the County Recorder of Douglas County, State of Nevada on November 12, 2004, Book 1104, Page 5494, Document No. 629016, and having Assessor Parcel Number 1318-22-002-103 (hereinafter "Sending Parcel").

2. The Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on February 21, 2014, to transfer 1,591 square feet of banked Class 1b land coverage from the Sending Parcel to a receiving parcel, described as follows:

See Exhibit "A" attached hereto and made a part hereof.

Said parcel was recorded in Document Number 2012-0022916 on May 11, 2012, in the Official Records of El Dorado County, California, and having Assessor's Parcel Number 025-770-04 (hereinafter "Receiving Parcel").

3. Both the Sending Project Area and the Receiving Parcel 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 30 of the TRPA Code of Ordinances requires that the appropriate deed restriction be recorded documenting both the transfer of coverage and the requirement that the area of the transferred land coverage on the Sending Parcel be restored and maintained in a natural or near-natural state. The deed restriction must likewise document that the area of the transferred land coverage on the Sending Parcel must be protected from soil disturbance, and that provisions must be made for the future maintenance of the Sending Parcel.

DECLARATIONS

- 1. Declarant hereby declares that, for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, the Sending Parcel described above is and shall be, deemed by TRPA to have transferred 1,591 square feet of banked Class 1b land coverage and to now contain 61,922 square feet of banked Class 1b land coverage.
- 2. Declarant also hereby declares that the transferred coverage can never be transferred back to the Sending Parcel, and that such area shall be restored in a natural state or near natural state if not redeveloped pursuant to a TRPA permit. Declarant also declares that Declarant is permanently restricted from transferring the coverage back to the Sending Parcel. Declarant likewise declares that Declarant shall make provisions for the future maintenance of the Sending Parcel.
- 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 the Receiving Parcel 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.
- 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.

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

Declarant's Signature:

Del La Fountain
Del LaFountain, Power-of-Attorney
Entitled by Meadowbrook Associates, LP

Dated: 3-25-14

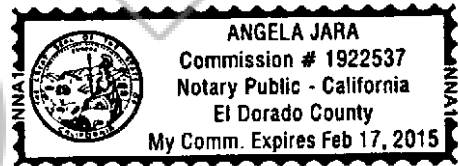
STATE OF California,
COUNTY OF El Dorado, ss.

On March 25, 2014, before me, Angela Jara, Notary Public, personally appeared Del La Fountain, 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: Angela Jara



APPROVED AS TO FORM:

Patrick Dobbs

Tahoe Regional Planning Agency

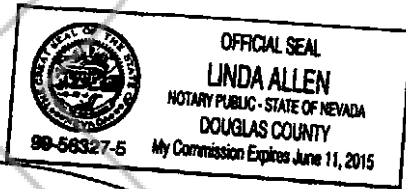
STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On 2-21-14, before me, Linda Allen, Notary Public, personally appeared Patrick Dobbs, 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: Linda Allen



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RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 2132007062-JL
APN: 025-770-04-100

When Recorded Mail Document and Tax Statements to:

Fred B. Cohen
P.O. Box 550181
South Lake Tahoe, CA 96155



El Dorado, County Recorder
William Schultz Co Recorder Office
DOC- 2012-0022916-00

Acct 5-OLD REPUBLIC TITLE CO
Friday, MAY 11, 2012 14:30:01
Ttl Pd \$76.00 Rcpt # 0001430135
JLR/C1/1-3

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$55.00

(X) computed on full value of property conveyed, or

() computed on full value less of liens and encumbrances remaining at time of sale.

() Unincorporated area: (X) City of South Lake Tahoe

PCOS
FILED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Michael J. McNally, Chapter 7 Trustee, in the Estate of Tony Franklin Rothrock Jr., (AKA Tony Rothrock) Case No. 10-60886, in the United States Bankruptcy Court for the Eastern District of Texas, Tyler Division, pursuant to the authority granted in the Order entered March 30, 2012 entitled order granting Trustee's motion for authority to sell property of the Bankruptcy Estate Free and Clear of all Liens, Claims and Encumbrances with Liens to follow proceeds and notice to Creditors (Lot 4 Price Road S. Lake Tahoe California, El Dorado County California)

hereby GRANT(S) to

Fred B. Cohen, a married man, as his sole and separate property

that property in City of South Lake Tahoe, El Dorado County, State of California, described as:

*** See "Exhibit A" attached hereto and made a part hereof. ***

Date: April 27, 2012

Michael J. McNally, Chapter 7 Trustee in Bankruptcy
Michael J. McNally, Chapter 7 Trustee in the
Estate of Tony Franklin Rothrock, Jr.,
Case No. 10-60886 (AKA Tony Rothrock)

State of Texas

County of SMITH

On April 27, 2012 before me, PAM ELSTON, a
Notary Public, personally appeared Michael J. McNally, Chapter 7 Trustee in Bankruptcy
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 Pam Elston
Name PAM ELSTON
(typed or printed)



(Area reserved for official notarial seal)

ORDER NO. : 2132007062-JL

EXHIBIT A

The land referred to is situated in the County of El Dorado, City of South Lake Tahoe, State of California, and is described as follows:

Parcel No. 1:

All that portion of Tract No. 36 of Keller 5.0 Acre Tracts, and being a portion of the Northeast quarter of Section 2, Township 12 North, Range 18 East, M.D.B.&M., more particularly described as follows:

Beginning at the Northwestern corner of the herein described Parcel, a $\frac{3}{4}$ inch capped iron pipe from which the Southwest corner of Lot 14 of said Section 2 bears South $48^{\circ} 10' 20''$ West 1,611.41 feet, a similar pipe, the Northeast corner; thence South $29^{\circ} 57' 30''$ East, 140.05 feet, a similar pipe, the Southeast corner; thence South $60^{\circ} 22' 30''$ West 82.56 feet, a similar pipe, the Southwest corner; thence North $30^{\circ} 00' 30''$ West, 140.04 feet to the point of beginning.

EXCEPTING THEREFROM, all that portion thereof conveyed to the City of South Lake Tahoe, a municipal corporation, by Deed from Owen Dando et ux, dated February 9, 1977 and recorded March 7, 1977 in Book 1477, Page 635 Official Records of said County, being more particularly described as follows:

All that portion of Tract No. 36 of Keller 5.0 Acre Tracts, an unrecorded subdivision, being a portion of Section 2, Township 12 North, Range 18 East, M.D.B.&M., more particularly described as follows:

Beginning at a point on the Northeast line of Price Road, 50 feet wide, from which the Southwest corner of Lot 14 of said Section 2 bears North $30^{\circ} 00' 30''$ West 140.04 feet and South $48^{\circ} 10' 20''$ West 1,811.47 feet; thence North $60^{\circ} 22' 30''$ East 46.66 feet to a point of cusp with a non-tangent curve concave Northerly having a radius of 80.00 feet, a radial line to said curve through said point bears South $9^{\circ} 15' 41''$ East; thence Westerly along said curve through a central angle of $48^{\circ} 53' 20''$, an arc distance of 68.26 feet to a point on said Northeast line of Price Road, 50 feet wide; thence along said Northeast line South $30^{\circ} 00' 30''$ East 46.66 feet to the point of beginning, containing 0.018 acres, more or less.

Parcel No. 2:

All that portion of Tract No. 36 of Keller 5.0 Acre Tracts, and being a portion of the Northeast quarter of Section 2, Township 12 North Range 18 East M.D.B.&M., more particularly described as follows:

Beginning at the Northwestern corner of the herein described Parcel, a $\frac{3}{4}$ inch capped iron pipe, from which the Southwest corner of Lot 14 of said Section 2 bears (2 courses) South $60^{\circ} 22' 30''$ West 82.69 feet and South $48^{\circ} 10' 20''$ West 1,811.47 feet; thence from point of beginning North $60^{\circ} 22' 30''$ East 82.69 feet, a similar pipe, the Northeast corner; thence South $29^{\circ} 54'$ East 140.06 feet, a similar pipe, the Southeast corner, thence South $60^{\circ} 22'$

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30" West 82.56 feet, a similar pips, the Southwesterly corner; thence North 29° 57' 30" West, 140.05 feet to the point of beginning.

APN: 025-770-04-100

