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KAREN ELLISON, RECORDER

RECORDING REQUESTED BY:

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

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
Attn: David L. Landry, Senior Planner
TRPA File # ERSP2010-1082

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MULTI-USE PIER RESTRICTION TO BE RECORDED AGAINST
APNs 1418-34-110-025, 1418-34-110-026, 1418-34-110-022 AND 1418-34-210-021
("DEED RESTRICTION")**

This Deed Restriction is made this 5th day of February, 2015, by Charles W. Scharer and Susan Marie Scharer, Trustees of the C&S Scharer 1996 Trust dated May 3, 1996 ("Scharer") and John F. Milligan and Kathryn P. Bradford-Milligan, Trustees of The Milligan Family Trust under Agreement dated January 6, 2014 ("Milligan") (collectively referred to as "Declarants").

RECITALS

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

APN 1418-34-110-025 ("Parcel One"):

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

All that portion of Lot 1, Block F as shown on the official map of Lincoln Park Subdivision filed in the office of the County Recorder of September 7, 1921, Document No. 305, Official Records of Douglas County, State of Nevada, amended May 7, 1946, in Book D Miscellaneous, Page 338, more particularly described as follows:

Commencing at a point on the North property line of said Lot 1, Block F, said point being the Westerly right of way of the Southerly termination of Lincoln Way;

thence North 77°54'05" West 53.00 feet to the Point of Beginning; thence South 15°59'12" West 35.00 feet; thence South 29°46'06" West 29.30 feet; thence South 50°20'56" East 5.00 feet; thence along a curve concave to the East from which the radius point bears South 50°20'56" East, a central angle of 39°35'04", with a radius of 51.00 feet, and an arc length of 35.23 feet, (chord bearing South 19°51'23" West 34.54 feet); thence along a compound curve concave to the East with a central angle of 36°17'27", a radius of 30.26 feet, and an arc length of 19.17 feet, (chord bearing South 18°04'43" East 18.85 feet); thence South 36°13'27" East 13.29 feet to a point on the South line of said Lot 1, Block F; thence North 89°57'36" West 41.80 feet along the South line of said Lot 1, Block F; thence leaving the South line of said Lot 1, Block F, North 57°25'42" West 62.95 feet; thence North 77°33'48" West 85 feet, more or less, to a point on the approximately Low Water Line of Lake Tahoe at an elevation of 6,223.00 feet, Lake Tahoe Datum; thence Northwesterly, Westerly, Northerly, Easterly, Northerly, and Northwesterly along said Low Water Line 160 feet, more or less, to a point which bears North 77°54'05" West from the Point of Beginning; thence South 77°54'05" East 115 feet, more or less; thence South 77°54'05" East 84.39 feet to the Point of Beginning.

Containing 20,061 square feet, more or less.

The Basis of Bearing for this description is the above-referenced Lincoln Park Subdivision.

Reference is made to a Record of Survey for Mary S. Navone recorded July 25, 1984, in Book 784, at Page 2455 Official Records of Douglas County, Nevada, as Document No. 104163, Certificate of Amendment January 13, 1994, Book 194, Page 129, as Document No. 326600.

Excepting any portion of the above described property lying within the bed of Lake Tahoe below the line of natural ordinary high water and also excepting any artificial accretions to the land waterward of the line of natural ordinary high water or, if lake level has been artificially lowered, excepting any portion lying below an elevation of 6,223.00 feet, Lake Tahoe Datum established by NRS 321.595.

2. Milligan is the owner of certain real property located in Douglas County, State of Nevada, described as follows:

APN 1418-34-210-021 ("Parcel Two")

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

All that portion of Lots 18 and 19, as shown on the revised Plat of Lakeridge Estates No. 1, filed for record in the Office of the County Recorder of Douglas County, State of Nevada, on February 23, 1959, as Document No. 14083, more particularly described as follows:

Beginning at the Southwest corner of said Lot 18; thence North 46°51'41" West 165.66 feet; thence North 88°51'03" West 31.28 feet; thence Westerly at a bearing of North 88°51'03" West 11.00 feet more or less, to a point on the approximate Low Water Line of Lake Tahoe at an elevation of 6,223.00 feet, Lake Tahoe Datum; thence Northerly, Westerly, Southerly, Westerly, Northerly, Northwesterly, Easterly, Southeasterly, Easterly and Northeasterly along said Low Water Line 251 feet, more or less, to a point which bears North 38°02' West 235 feet, more or less, from the Southwest corner of said Lot 18; thence from the approximate Low Water Line of Lake Tahoe South 77°15'44" East 84 feet more or less; thence South 56°58'43" East 62.44 feet; thence South 89°53'00" East 25.76 feet; thence South 04°55'34" East 112.37 feet; thence along a curve concave to the Southeast with a radius of 26.60 feet, a central angle of 78°06'24", and an arc length of 36.26 feet, the chord of said curve bears South 51°06'43" West 33.52 feet to the Point of Beginning.

Containing 19,957 square feet more or less.

The Basis of Bearing for this description is the above referenced Lakeridge Estates No. 1, Revised.

3. Parcel One and Parcel Two are hereinafter collectively referred to as the "Project Area."
4. The Project Area 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 TRPA pursuant to the Tahoe Regional Planning Compact.
5. On August 28, 2013, the Tahoe Regional Planning Agency ("TRPA") Governing Board approved a permit for a Pier Relocation-Expansion and Breakwater Modification Project within the Project Area, and issued a revised permit dated July 1, 2014, to relocate and rebuild an existing pier subject to certain conditions contained in the revised permit, including the conditions that, pursuant to Subsection 84.9.4.B of the TRPA Code,

Declarants shall record a TRPA approved-to-form deed restriction reflecting pier use agreements and shorezone development limitations.

DECLARATIONS

1. Declarants hereby declare that, for the purpose of satisfying TRPA's August 28, 2013 permit, as revised on July 1, 2014, the Project Area consisting of Parcel One and Parcel Two shall always use the pier as a multiple-use facility and acknowledge both parcels within the Project Area shall have permanent access to the approved pier.
2. Declarants have entered into that certain Reciprocal Easement and Agreement for Pier and Adjacent Properties, recorded in the Official Records of Douglas County, Nevada, on July 16, 2014, as Document No. 846435, Book 714, Page 3615, for the shared use of the multiple use pier.
3. Declarants hereby declare that only one (1) pier shall ever be constructed within the Project Area.
4. 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.
5. 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 the day and year first written above.

This document may be executed in counterparts.

DECLARANTS' SIGNATURES:

C&S Scharer 1996 Trust dated May 3, 1996

By: *Charles W. Scharer*
Charles W. Scharer, Trustee

Dated: 1/16/15

By: *Susan Marie Scharer*
Susan Marie Scharer, Trustee

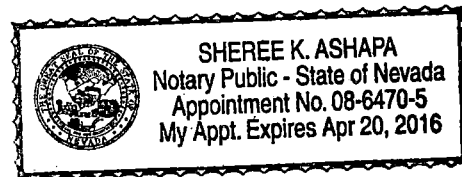
Dated: 1-16-15

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On this 16th day of January, 2015, before me, *Sheree K. Ashapa*,
Notary Public, personally appeared CHARLES W. SCHARER and SUSAN MARIE SCHARER,
personally known to me, or 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.

Witness my hand and official seal.

Sheree K. Ashapa
Notary Public



(Seal)

(Additional Signature Pages Follow)

The Milligan Family Trust under Agreement
dated January 6, 2004

By: *John F. Milligan*
John Milligan, Trustee

Dated: 1-23-15

By: *Kathryn P. Bradford-Milligan*
Kathryn P. Bradford-Milligan

Dated: 1/23/15

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On this _____ day of _____, 2015, before me, _____
Notary Public, personally appeared JOHN MILLIGAN and KATHRYN P. BRADFORD-MILLIGAN,
personally known to me, or 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.

Witness my hand and official seal.

See Attached

Notary Public

(Seal)

(Additional Signature Page Follows)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

}ss.

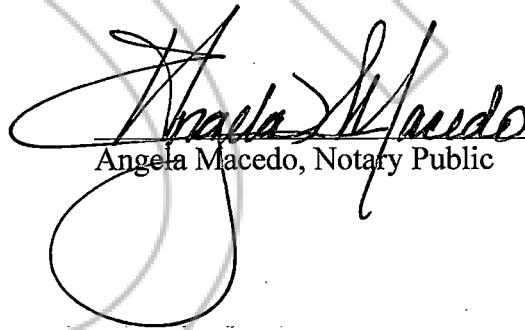
County of San Mateo

On January 23, 2015 before me, Angela Macedo, Notary Public, personally appeared Kathryn P. Bradford-Milligan and John F. Milligan, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

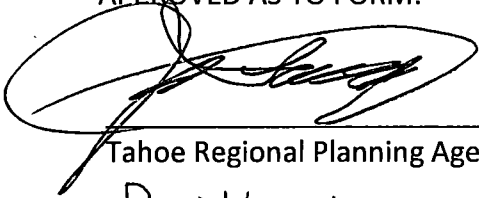
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.




Angela Macedo, Notary Public

APPROVED AS TO FORM:



1/21/15

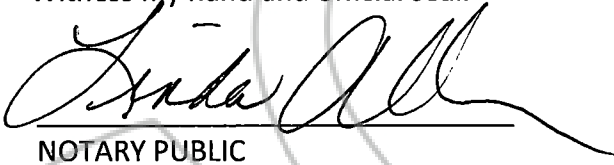
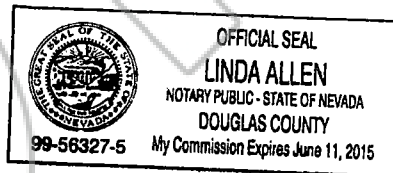
Tahoe Regional Planning Agency

David Landry

STATE OF NEVADA)
) SS.
COUNTY OF DOUGLAS)

On this 21st day of January, 2015, before me Linda Allen, Notary Public, personally appeared David Landry 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 their behalf of which the person(s) acted) executed the instrument.

Witness my hand and official seal.


NOTARY PUBLIC

(Seal)

END OF DOCUMENT