

**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 1038  
Zephyr Cove, Nevada 89448



00010356201508589750100108

KAREN ELLISON, RECORDER

**WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency  
Post Office Box 1038  
Zephyr Cove, Nevada 89448  
Attn: Theresa Avance, Senior Planner  
TRPA File Number LLAD2013-1166 and LLAD 2014-0976

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
REVOKING DEED RESTRICTION FILED ON MAY 13, 2014  
TO BE RECORDED AGAINST APN 1318-09-810-035 AND 1318-09-810-070  
("DEED RESTRICTION")**

This Deed Restriction is made this 20<sup>th</sup> day of March, 2015, by Barbara Boucke as Trustee, or the successor Trustee or Trustees, U/A/D November 15, 1990, as amended, creating the Barbara Boucke Separate Property Trust (hereinafter "Declarants").

**RECITALS**

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

Parcel One:

Lot 8, Block D as shown upon the "Amended Map of Subdivision No. 2, Zephyr Cove Properties, Inc., in Sections 9 and 10, T. 13 N., R. 18 E.", which was filed for record August 5, 1929, with Josephine L. Klotz, County Recorder, Douglas County, Nevada, after being approved by the Board of County Commissioners of Douglas County, Nevada, on the same day.

Said parcel was recorded in Document Number 276789 in Book 492, Page 4427 on April 23, 1992, in the Office of the Douglas County Recorder, and having Assessor's Parcel Number 1318-09-810-035.

Parcel Two:

Lot 19, in Block "D" of Zephyr Cove, sometimes called Marla Bay, Douglas County, State of Nevada, according to that certain map entitled "Amended Map of Subdivision No. 2, Zephyr Cove Properties, Inc., in Sections 9 and 10, T. 13 N., R. 18 E.", filed in the office of the County Recorder of Douglas County, Nevada, August 5, 1929.

Said parcel was recorded in Document Number 302431 in Book 393, Page 4014 on March 22, 1993, in the Office of the Douglas County Recorder, and having Assessor's Parcel Number 1318-09-810-070.

Parcels One and Two 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, 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. The Property was subject to an approval from the TRPA on April 14, 2014 for a boundary line adjustment (LLAD2013-1166), 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. That deed restriction was recorded on May 13, 2014 in Document Number 0842505, Book 0514, Page 2597, attached hereto as Exhibit "A" and incorporated herein by reference.
4. Following submittal of a plan revision application by the Declarants (TRPA File LLAD2014-0976), the TRPA has determined that the project area requirement is no longer 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 "A". Declarants and TRPA declare that the deed restriction in Exhibit "A" 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 Declarants and Declarants' 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.

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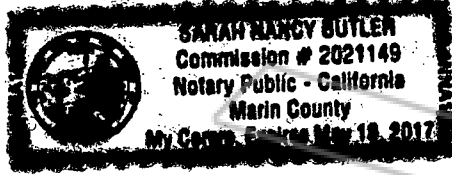
IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written above.

Declarants' Signature:

Barbara Boucke Trustee

Dated: \_\_\_\_\_

Barbary Boucke, Trustee  
Barbara Boucke Separate Property Trust



STATE OF )  
) SS.  
COUNTY OF )

On Feb 9th, before me Sarah Nancy Butler Notary Public, personally appeared \_\_\_\_\_, 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.

Sarah Nancy Butler  
NOTARY PUBLIC

APPROVED AS TO FORM:

Theresa Avance  
Tahoe Regional Planning Agency

Dated: 1/16/15

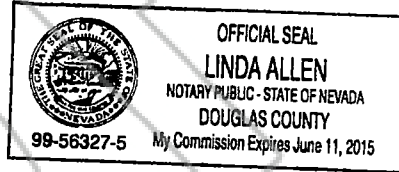
STATE OF NEVADA     )  
                                  ) SS.  
COUNTY OF DOUGLAS )

On 1-16-15 before me, Linda Allen, Notary Public, personally appeared Theresa Avance, 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.

Linda Allen  
NOTARY PUBLIC



18-

Doc Number: **0842505**

05/13/2014 04:31 PM

OFFICIAL RECORDS  
Requested By:  
GORDON CONSULTING, INC

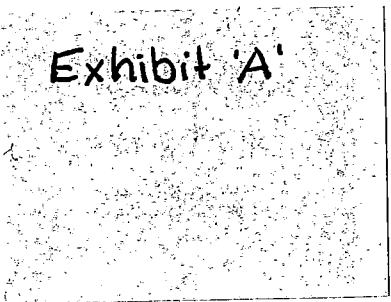
DOUGLAS COUNTY RECORDERS  
Karen Ellison - Recorder

Page: 1 of 5 Fee: \$ 18.00  
Bk: 0514 Pg: 2597



Deputy: sg

**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 No. LLAD2013-1166

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR PROJECT AREA AND COVERAGE CALCULATION ("DEED RESTRICTION")  
TO BE RECORDED AGAINST APN 1318-09-810-035 and 1318-09-810-070**

This Deed Restriction is made this 13<sup>th</sup> day of May, 2014, by Barbara Boucke as Trustee, or the successor Trustee or Trustees, U/A/D November 15, 1990, as amended, creating the Barbara Boucke Separate Property Trust (hereinafter "Declarants").

**RECITALS**

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

Parcel One:

Lot 8, Block D as shown upon the "Amended Map of Subdivision No. 2, Zephyr Cove Properties, Inc., in Sections 9 and 10, T. 13 N., R. 18 E.", which was filed for record August 5, 1929, with Josephine L. Klotz, County Recorder, Douglas County, Nevada, after being approved by the Board of County Commissioners of Douglas County, Nevada, on the same day.

Said parcel was recorded in Document Number 276789 in Book 492, Page 4427 on April 23, 1992, in the Office of the Douglas County Recorder, and having Assessor's Parcel Number 1318-09-810-035.

Parcel Two:

Lot 19, in Block "D" of Zephyr Cove, sometimes called Marla Bay, Douglas County, State of Nevada, according to that certain map entitled "Amended Map of Subdivision No. 2, Zephyr Cove Properties, Inc., in Sections 9 and 10, T. 13 N., R. 18 E.", filed in the office of the County Recorder of Douglas County, Nevada, August 5, 1929.

Said parcel was recorded in Document Number 302431 in Book 393, Page 4014 on March 22, 1993, in the Office of the Douglas County Recorder, and having Assessor's Parcel Number 1318-09-810-070.

Parcels One and Two are hereinafter collectively referred to as the "Property."

Project Area Deed Restriction APN 1318-09-810-035 and 1318-09-810-070  
Barbara Boucke, Trustee  
Page 2 of 4

- 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 April 14, 2014 for a boundary line adjustment (LLAD2013-1166), 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 a 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 April 14, 2014 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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Project Area Deed Restriction APN 1318-09-810-035 and 1318-09-810-070  
Barbara Boucke, Trustee  
Page 3 of 4

IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written above.

Declarants' Signature:

Barbara Boucke  
Barbara Boucke, Trustee  
Barbara Boucke Separate Property Trust

Dated: May 1, 2014



STATE OF CA )  
                                  ) SS.  
COUNTY OF Marin

On May 1st 2014 before me, Sarah Nancy Butler Notary Public, personally appeared Barbara Lee Boucke, 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.  
Sarah Nancy Butler  
NOTARY PUBLIC

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Marin

On 5/1/2014 before me, Sarah Nancy Butler  
Date Here Insert Name and Title of the Officer

personally appeared Barbara Lee Boucke  
Name(s) of Signer(s)



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: Sarah Nancy Butler  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_



Project Area Deed Restriction APN 1318-09-810-035 and 1318-09-810-070  
Barbara Boucke, Trustee  
Page 4 of 4

APPROVED AS TO FORM:

Theresa Avance  
Tahoe Regional Planning Agency

Dated: 4/15/14

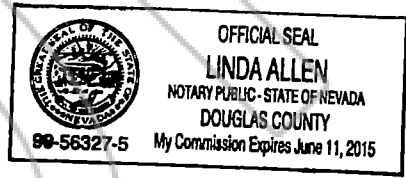
STATE OF Nevada )  
  ) SS.  
COUNTY OF Douglas )

On 4-15-14, before me, Linda Allen, Notary Public, personally appeared Theresa Avance, 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.

Linda Allen  
NOTARY PUBLIC



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

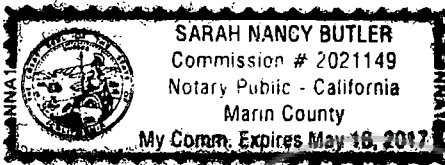
State of California

County of Marin

On 2/9/2015 before me, Sarah Nancy Butler  
Date Here, Insert Name and Title of the Officer

personally appeared Barbara Lee Bouche  
Name(s) of Signer(s)

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: Sarah Nancy Butler  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Declaration of covenants

Document Date: 2/9/2015 Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

- |  |  |
|--|--|
| Signer's Name: _____   | Signer's Name: _____   |
| <input type="checkbox"/> Corporate Officer — Title(s): _____   | <input type="checkbox"/> Corporate Officer — Title(s): _____   |
| <input type="checkbox"/> Individual  | <input type="checkbox"/> Individual  |
| <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General | <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General |
| <input type="checkbox"/> Attorney in Fact  | <input type="checkbox"/> Attorney in Fact  |
| <input type="checkbox"/> Trustee   | <input type="checkbox"/> Trustee   |
| <input type="checkbox"/> Guardian or Conservator   | <input type="checkbox"/> Guardian or Conservator   |
| <input type="checkbox"/> Other: _____  | <input type="checkbox"/> Other: _____  |

Signer Is Representing: \_\_\_\_\_