DOUGLAS COUNTY, NV

Rec:\$23.00 Total:\$23.00

NICOLE ZABORSKY

2015-858975 03/20/2015 12:31 PM

Pgs=10

RECORDING REQUESTED BY:

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

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

KAREN ELLISON, RECORDER

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 day of ________, 20_______, 20_________, 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.

Revoking Deed Restriction APN 1318-09-810-035/-070 Barbara Boucke, Trustee Page 2 of 4

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

- 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.

||| ||| ||| Revoking Deed Restriction APN 1318-09-810-035/-070 Barbara Boucke, Trustee Page 3 of 4

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

year written above.
Declarants' Signature:
Darbare Doville Trustee Dated:
Barbary Boucke, Trustee
Barbara Boucke Separate Property Trust Commission # 2021149 Notary Public - California
STATE OF) Marin County) SS.
COUNTY OF)
On Feb 9th before me Sund Nency But Co Notary Public, personally appeare
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 Line that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
Stille Nances Button
NOTARY PUBLIC

Revoking Deed Restriction APN 1318-09-810-035/-070 Barbara Boucke, Trustee Page 4 of 4

APPROVED/AS TO FORM:	
Theresa (hance Dated: 1/16/16	
Tahoe Regional Planning Agency	
STATE OF NEVADA)	
) SS.	
COUNTY OF DOUGLAS)	
المامة	
On 1-16-15 before me landa Allen, Notary Public, personally	
appeared Theresa Avance , who proved to me on the basis	ot
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and	N
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and the	
by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person	me
acted, executed the instrument.	Mary Contract of the Contract
I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is	5
true and correct.	
WITNESS my hand and official seal.	
OFFIGURATION AND A STATE OF THE	
OFFICIAL SEAL LINDA ALL FN	
NOTARY PUBLIC - STATE OF NEVADA	
DOUGLAS COUNTY 99-56327-5 My Commission Expires June 11, 2015	
NOTARY PUBLIC	

18,

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

Exhibit 'A'

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

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

RECITALS

 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.

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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."



BK : Ø5 14 PG : 2598 5/ 13/20 14

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, <u>Land Coverage</u>, 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

- 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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BK: 05 14 PG: 2599 5/13/2014

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:
	Darbare Borrke Dated: Mars 1, 2014
	Barbara Boucke, Trustee Barbara Boucke Separate Property Trust Notary Public - California SARAH NANCY BUJLER Commission # 1849941 Notary Public - California
	STATE OF (A) SS. Marin County My Corpus Expires May 18, 2013 My Green Provided County My Corpus Expires May 18, 2013
	COUNTY OF MARSON
	On Much Bh 2014 before me Surah Nancy Public, personally appeared Tarbora Lee Poulee , 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 PERIURY under the laws of the State of California that the foregoing
	paragraph is true and correct.
<	WITNESS my hand and official seal.
۲	NOTARY PUBLIC BUTON



BK: 0514 PG: 2600 5/13/2014

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California	1
County of Mann	.\.\
21. 12011	Qual Nancal Button
On Date before me, C	Surver Nances Button Here Insert Name and fittle of the Officer LYOU CLE BOUCKE
personally appeared	ira lee Boucke
	Name(s) of Signer(s)
. "	
	who proved to me on the basis of satisfactory
SARAH NANCY BUTLER	evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged
Commission # 2021149 Notary Public - California	to me that he/she/they executed the same in
Marin County	his/her/their authorized capacity(ies), and that by
My Comm, Expires May 18, 2017	bis/her/their signature(e) on the instrument the
,	person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
	person(s) detect, excedited the monthly in.
SABAH NANCY BUTLER	I certify under PENALTY OF PERJURY under the
Commission # 1849941 Notary Public - California	laws of the State of California that the foregoing
Marin County 3	paragraph is true and correct.
My Comm. Expires May 18, 2013	WITNESS my hand and official seal.
/ /	1 Daylor B
/ /	Signature: alah lance but
Place Notary Seal Above OF	PTIONAL ————————————————————————————————————
Though the information below is not required in	by law, it may prove valuable to persons relying on the document val and reattachment of this form to another document.
Description of Attached Document	val and realiacinnent of this form to another 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):	
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
- Attorney in ract	☐ Trustee
☐ Trustee	☐ Guardian or Conservator
☐ Trustee☐ Guardian or Conservator	
☐ Trustee	Other:
☐ Trustee ☐ Guardian or Conservator ☐ Other:	
☐ Trustee☐ Guardian or Conservator	Signer Is Representing:
☐ Trustee ☐ Guardian or Conservator ☐ Other:	



BK : Ø5 14 PG : 26Ø 1 5/ 13/2Ø 14

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:
Meresa Warc Dated: 4/15/14
Tahoe Regional Planning Agency
STATE OF Nevada)
) SS.
COUNTY OF, Doulgas 11.) And the first of the second of the
On 4-15-14 , before me, LINDA Allon , 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 Nevada that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
LINDA ALLEN NOTARY PUBLIC - STATE OF NEVADA DOUGLAS COUNTY
NOTARY PUBLIC 99-56327-5 My Commission Expires June 11, 2015

State of California	
α	
County of MUNIN	
~ 2/9/2016	June 1 Danier Britten
On $\frac{2/9/2015}{Date}$ before me, $\frac{5}{2}$	Here Jasert Name and Title of the Officer
personally appeared	TO RECEIVE TO THE RESIDENCE OF THE PROPERTY OF
	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.
SARAH NANCY BUTLER Commission # 2021149	I certify under PENALTY OF PERJURY under the
Notary Public - California Marin County	laws of the State of California that the foregoing
My Comm. Expires May 16, 2017	paragraph is true and correct.
	WITNESS my hand and official seal.
Place Notary Seal Above	Signature: Hull Signature of Notary Bublic
, ,	by law, it may prove valuable to persons relying on the document
and could prevent fraudulent remo	val and reattachment of this form to another document.
Description of Attached Document	extin a coupon at
Title or Type of Document:	eration of convenients
Document Date: 29015	/ /
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 ☐ General ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ Individual
☐ Attorney in Fact	 ☐ Partner — ☐ Limited ☐ General ☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
□ Other:	☐ Other:
Signer Is Representing:	