



KAREN ELLISON, RECORDER

**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: Jennifer Self, Associate Planner  
TRPA File No. TRAN2015-0680

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR LAND COVERAGE TRANSFER ("DEED RESTRICTION")  
TO BE RECORDED AGAINST ASSESSOR'S PARCEL NUMBER (APN) 1318-22-002-103**

This Deed Restriction is made this 14<sup>th</sup> day of March, 2016, by Falcon Capital, LLC a Wyoming limited liability company, pursuant to an irrevocable Power-of-Attorney recorded September 29, 2004 in the Douglas County Recorder's Office as Document Number 0625406 entitled by Meadow Brook Associates, LP, a Nevada limited partnership (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:

All that portion of Section 22, Township 13 North, Range 18 East, M.D.M., more particularly 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's Parcel Number 1318-22-002-103 (hereinafter "Sending Parcel").

2. Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on November 23, 2015, to transfer **1,810 square feet** of banked Class 1b land coverage from the Sending Parcel to a receiving parcel, described as follows:

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:

Lot 34, block 1, as shown on that certain Map entitled "Lakeview Tahoe Unit No.1", filed in the office of the County Recorder of El Dorado County, State of California, on June 12, 1957, in Map Book "B" at page 72.

Said parcel was recorded in Document Number 2014-0022437-00 on June 16, 2014, in the Official Records of El Dorado County, California, and having Assessor's Parcel Number 028-061-34 (Hereinafter "Receiving Parcel").

3. Both the Sending parcel 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 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 provision must be made for the future maintenance of the Sending Parcel.

#### DECLARATIONS

1. Declarant hereby declares for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage that the Sending Parcel (APN 1318-22-002-103) described above is, and shall be, deemed by TRPA to have transferred 1,810 square feet of banked Class 1b land coverage and now contains **54,710 square feet of total remaining banked land coverage (Class 1b)**.
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 the Declarant is permanently restricted from transferring the coverage back the 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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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.

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

Declarant's Signature:

G. Randy Lane  
G. Randy Lane  
Falcon Capital, LLC, Power-of-Attorney  
Entitled by Meadow Brook Associates, LP

Dated: 3/14/16

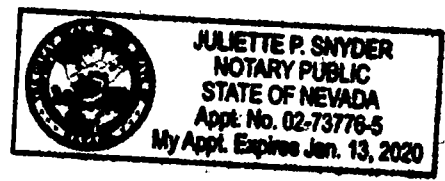
STATE OF NEVADA )  
 ) SS.  
COUNTY OF DOUGLAS )

On March 14, 2016, before me, Juliette P. Snyder Notary Public, personally appeared G. Randy Lane, 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: Juliette P. Snyder



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Additional Signature Page to Follow.

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.

APPROVED AS TO FORM:

Theresa Avance  
Tahoe Regional Planning Agency

Dated: 11/23/15

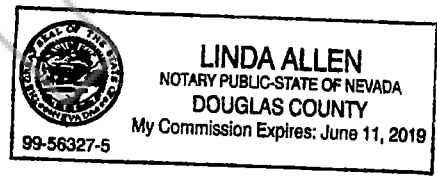
STATE OF NEVADA     )  
                                  ) SS.  
COUNTY OF DOUGLAS )

On 11-23-15, 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.

Signature: Linda Allen



End of Signatures.