

**RECORDING REQUESTED BY:**  
Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449



KAREN ELLISON, RECORDER

**WHEN RECORDED MAIL TO:**  
Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR PERMANENT PARCEL CONSOLIDATION  
(APN) 1318-16-710-008 INCLUDING LOT 95 AND A PORTION OF LOT 94  
("DEED RESTRICTION")**

This Deed Restriction is made this 28 day of April, 2016, by Robert C. Schulze Jr., an undivided 1/3 interest, David W. Schulze, Trustee of the David & Kathleen Schulze Family Trust dated 8-5-04 an undivided 1/3 interest, and Mark C. Schulze, an undivided 1/3 interest (hereinafter "Declarants").

**RECITALS**

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

**DESCRIPTION**

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

Being Lot 95 and a portion of Lot 94 per the Second Amended Plat of The Elks Subdivision, recorded June 5, 1952 as document number 8537, more particularly described as follows;

Beginning at the Southeast corner of said Lot 95,

thence along a curve concave to the North, having a radius of 260.57 feet, and a central angle of 17°27'31", and an arc length of 79.40 feet, the chord of said curve bear South 65°27'29" West 79.09 feet;

thence North 18°25'19" West 93.53 feet to the water-line of Lake Tahoe per said  
Second Amended Plat of The Elks Subdivision;

thence along said water-line the following 2(two) courses:

North 32°32'35" East 26.10 feet;

North 53°09'10" East 30.46 feet;

thence leaving said water-line South 33°16'15" East 115.00 feet to the Point of  
Beginning.

Containing 7,094 square feet, more or less.

The Basis of Bearing for this description is said Second Amended Plat of The Elks  
Subdivision.

APN 1318-16-710-008

2. The Declarants will permanently merge or consolidate lot 95 and 1/2 of lot 94 of Elks Point Country Club. The resultant Assessor's Parcel Number shall be reported to the Tahoe Regional Planning Agency, if it is changed, as soon as it is available.
3. The parcels are 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, pursuant to the Tahoe Regional Planning Compact.

### DECLARATIONS

1. Declarants hereby declare that in accordance with TRPA Code of Ordinances 2.3.2 (K) regarding parcel consolidations, the resultant parcel is permanently consolidated.
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 Declarant 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 Tahoe Regional Planning Agency 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.



APPROVED AS TO FORM:

Wendy Jepson  
Tahoe Regional Planning Agency  
TRPA Executive Director/Designee

Dated: 4-8-2016

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 NEVADA        )  
  ) SS.  
COUNTY OF DOUGLAS    )

On April 8, 2016 before me Kimberly L. HERN a Notary Public, personally appeared Wendy Jepson

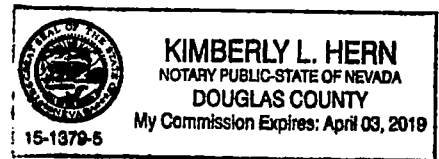
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacities, and that by his/her/their signature(s) on the instrument the person(s), 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: Kimberly L. HERN (Seal)

Name: Kimberly L. HERN  
(typed or printed)



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

Declarant's Signature:

Robert C. Schulze, Jr.  
Robert C. Schulze, Jr.  
schulze

Dated: 4-21-16

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 \_\_\_\_\_ )  
  ) SS.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_ a  
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  
\_\_\_\_\_ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Robert C. Schulze (Seal)

See attached.

Name: \_\_\_\_\_  
(typed or printed)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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 )  
County of Solano )

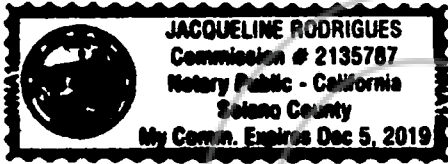
On 04-21-2014 before me, Jacqueline Rodrigues California Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Robert C. Schulze  
Name(s) of Signer(s)  
NA

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 Jacqueline Rodrigues  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Deed Restriction Document Date: 4-21-2014  
Number of Pages: 7 Signer(s) Other Than Named Above: N/A

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

Signer's Name: \_\_\_\_\_  
 Corporate Officer -- Title(s): \_\_\_\_\_  
 Partner --  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer -- Title(s): \_\_\_\_\_  
 Partner --  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

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

Declarant's Signature:

David W. Schulze

Dated: 4-21-16

David W. Schulze, Trustee of the  
David & Kathleen Schulze Family Trust dated 8-5-04

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 )  
  ) SS.  
COUNTY OF )

On Solano before me, Hilda J. Scott a

Notary Public, personally appeared

David Ward Schulze, 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.

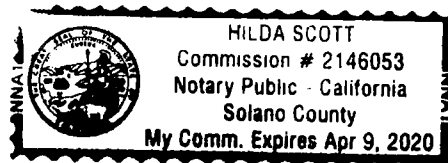
I certify under PENALTY OF PERJURY under the laws of the State of

California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Hilda Scott (Seal)


Name: Hilda Scott  
(typed or printed)



Deed Restriction  
APN 1318-16-710-008  
Robert C. Schulze, et al  
Page 6 of 7

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

Declarant's Signature:



Mark C Schulze,

Dated: 4/21/16

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 FRANCISCO

On April 21, 2016 before me, Anthony Montero a  
Notary Public, personally appeared

Mark Christopher Schulze, 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: Anthony Montero (Seal)

Name: Anthony Montero  
(typed or printed)





**OWNERS' CERTIFICATE**  
 I, THE UNDERSIGNED OWNER OF THE AFFECTED PARCELS AS SHOWN ON THE MAP, HEREBY CERTIFY THAT:  
 1. I HAVE EXAMINED THIS PLAT AND APPROVE AND AUTHORIZE THE REVERSION TO ACREAGE.  
 2. ALL PROPERTY TAXES ON THE LAND FOR THE FISCAL YEAR HAVE BEEN PAID, AND I WILL BE RESPONSIBLE FOR ANY TAXES THAT MAY BE DUE AND UNPAID ACCORDING TO THE PAYMENT OF THE BOUNDARY LINE ON THE TRANSFER OF LAND.

ROBERT C. SCHULZE JR.

**NOTARY CERTIFICATE**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, I, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, PERSONALLY KNOWN BY ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS ASSIGNED TO THIS INSTRUMENT AND ACKNOWLEDGED THAT THEY RECEIVED IT.  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 \_\_\_\_\_  
 MY COMMISSION EXPIRES \_\_\_\_\_

**COUNTY RECORDER'S CERTIFICATE**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ HOURS PAST \_\_\_\_\_ O'CLOCK \_\_\_\_\_ P.M. AS DOCUMENT NUMBER \_\_\_\_\_  
 RECEIVED AT THE REQUEST OF ROBERT C. SCHULZE JR.  
 \_\_\_\_\_  
 DOUGLAS COUNTY RECORDER

SCALE: 1"=50'  
 SHEET 1 OF 1  
**REVERSION TO ACREAGE**  
 FOR  
**ROBERT C. SCHULZE JR.**  
 PORTION OF SECTION 16, T.18N., R.18E., M.10M.  
 BIRKS LOT 95 AND A PORTION OF LOT 94, SECOND AMENDED PLAT OF THE ELKS SUBDIVISION  
 DOUGLAS COUNTY, NEVADA  
 FILE NO. 18032000 FEBRUARY 2018

**SURVEYOR'S CERTIFICATE**  
 I, THE UNDERSIGNED, A LICENSED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:  
 1. THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SHOWN ON THIS PLAT AND APPROVED AT THE INSTANCE OF ROBERT C. SCHULZE JR.  
 2. THE LANDS SURVEYED LIE WITHIN A PORTION OF SECTION 16, TOWNSHIP 18 NORTH, RANGE 18 EAST, MERIDIAN, AND THE SURVEY IS ACCORDING TO THE APPLICABLE NEVADA SURVEYING AND MAPPING ACT AND ANY LOCAL ORDINANCE AND IS NOT IN CONFLICT WITH THE PROVISIONS FOR W-2'S ZONING TO J-28.53P, INCLUDING, BUT NOT LIMITED TO, THE PROVISIONS OF CHAPTER 217 OF THE NEVADA STATUTES.  
 3. THIS PLAT COMPLETES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCE AND IS NOT IN CONFLICT WITH THE PROVISIONS FOR W-2'S ZONING TO J-28.53P, INCLUDING, BUT NOT LIMITED TO, THE PROVISIONS OF CHAPTER 217 OF THE NEVADA STATUTES.  
 4. THIS MAP HAS BEEN PREPARED FROM INFORMATION RECEIVED IN WRITING FROM THE PERSONS WHOSE INTERESTS ARE AFFECTED BY THE INFORMATION ON OR COPIED FROM THE INSTRUMENT.  
 INFORMATION SHOWN ON OR COPIED FROM THE INSTRUMENT.

KATHY LEWIS  
 ALL 2704

**COUNTY ENGINEER CERTIFICATE**

I, ERIC WILSON, COUNTY ENGINEER, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND IT IS TECHNICALLY CORRECT.  
 \_\_\_\_\_  
 ERIC WILSON, P.E., COUNTY ENGINEER

**COMMUNITY DEVELOPMENT DEPT. CERT.**

I, KATHY LEWIS, CLERK OF THE COUNTY DEVELOPMENT DEPARTMENT, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND IT IS TECHNICALLY CORRECT.  
 \_\_\_\_\_  
 KATHY LEWIS, CLERK OF THE COUNTY DEVELOPMENT DEPARTMENT

**CLERK TREASURER'S CERTIFICATE**

ALL PROPERTY TAXES FOR THE PARCELS SHOWN ON THIS MAP HAVE BEEN PAID IN FULL FOR THE FISCAL YEAR.  
 \_\_\_\_\_  
 KATHY LEWIS, CLERK OF THE COUNTY DEVELOPMENT DEPARTMENT

**BASIS OF BEARING**

THE BEARING AND DISTANCE OF THE BOUNDARY LINES OF THE REVERTED PARCEL OF THIS PLAT WERE MEASURED AND CALCULATED ON JUNE 5, 1972 AS DOCUMENT NO. 8537.

**REFERENCES**

- (50) PLAT, PARCEL AND SALE DEED DOCUMENT NUMBER 8311
- (52) SECOND AMENDED PLAT OF THE ELKS SUBDIVISION PER DOCUMENT NO. 8537

**NOTE**

THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SHOWN ON THIS PLAT AND APPROVED AT THE INSTANCE OF ROBERT C. SCHULZE JR.



APPROXIMATE WATER BOUNDARY AS SHOWN FROM 8537

REVERTED PARCEL  
 APPROX. AREA = 7,094 SQ. FT.

LOT 95  
 LOT 94  
 LOT 93 & PORTION LOT 94

HALL LOTS 96 & 97  
 LIVINGSTON LOTS 93 & PORTION LOT 94

W 17°45'00\"/>

W 17°45'00\"/>

W 17°45'00\"/>

W 17°45'00\"/>

**TAHOE REGIONAL PLANNING AGENCY CERTIFICATE**  
 THIS REVERSION TO ACREAGE CONFORMS TO TAHOE REGIONAL PLANNING AGENCY REQUIREMENTS.  
 \_\_\_\_\_  
 SIGNATURE  
 \_\_\_\_\_  
 PRINT NAME  
 \_\_\_\_\_  
 DATE  
 \_\_\_\_\_

TURNER & ASSOCIATES, INC.  
 LAND SURVEYING  
 (775) 581-5558  
 FAX (775) 581-5718  
 318 BIRKS COURT, SUITE 203 - ROUND HILL, NEVADA 89418  
 P.O. BOX 1017 - ROUND HILL, NEVADA 89418