

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: Julie Roll, Associate Planner
TRPA File No. TRAN2015-1099

DOUGLAS COUNTY, NV

2016-880179

Rec:\$17.00

Total:\$17.00

05/02/2016 11:47 AM

TAHOE REGIONAL PLANNING
AGENCY

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KAREN ELLISON, RECORDER

**DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR LAND COVERAGE TRANSFER
("DEED RESTRICTION") TO BE RECORDED AGAINST
ASSESSOR'S PARCEL NUMBER (APN) 1418-34-110-064**

This Deed Restriction is made this 2nd day of May, 2016, by RNE Capital, LLC, a Nevada Limited Liability Company (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:

Lot 7, in Block E per that map of Lincoln Park, filed for record in the office of the Recorder of Douglas County, State of Nevada, on September 7, 1921, as Document number 305, and having Assessor Parcel Number 1418-34-110-064 (hereinafter "Sending Parcel").
2. The Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on March 29, 2016 to transfer a total of **122 square feet** of banked Class 7 land coverage from the Sending Parcel to a receiving parcel, described as follows:

Lot 8, in Block E per that map of Lincoln Park, filed for record in the office of the Recorder of Douglas County, State of Nevada, on September 7, 1921, as Document number 305, and having Assessor Parcel Number 1418-34-110-065 (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 both the transfer of land 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 provisions must be made for the future maintenance of the Sending Parcel.

DECLARATIONS

1. Declarant hereby declares that, for the purpose of calculating land coverage and applying TRPA ordinances relating to land coverage, the Sending Parcel described above is and shall be deemed by TRPA to have transferred 122 square feet of banked Class 7 coverage and to now contain zero (0) square feet of banked land coverage . Remaining on the parcel are 3,199 square feet of verified Class 7 coverage and 351 square feet of Class 1a coverage.
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 to 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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IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

[Handwritten Signature]
RNE Capital, LLC

Dated: 5/2/16

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 NEVADA

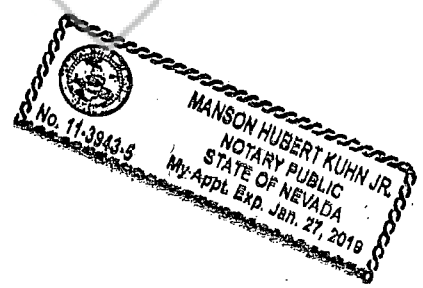
) SS.

COUNTY OF DOUGLAS

On 5/2/2016 before me, MANSON HUBERT KUHN, JR a Notary Public, personally appeared DWIGHT DOUGLAS ENGLEKIRK, 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: [Handwritten Signature] (Seal)
Name: MANSON HUBERT KUHN, JR
(typed or printed)



APPROVED AS TO FORM:

Wendy Jepson
Tahoe Regional Planning Agency

Dated: 4/22/16

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 NEVADA)
) SS.
COUNTY OF DOUGLAS)

On 4-22-16 before me, Linda Allen 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 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 (Seal)

Name: Linda Allen
(typed or printed)

