

**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  
Attn: Theresa Avance, AICP  
TRPA File No.: ERSP2014-0183-03 and LLAD2015-0185

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR PROJECT AREA, DENSITY, AND COVERAGE CALCULATION ("DEED RESTRICTION")  
TO BE RECORDED AGAINST APNS 1318-24-404-022 AND 1318-24-404-023  
(FORMERLY APNS 1318-24-404-016 AND 1318-25-101-017)**

This Deed Restriction is made this 27 day of August, 2018, by Cherif A. Boudjakdji, Trustee of the Cherif A. Boudjakdki 2004 Revocable Trust (hereinafter "Declarant").

**RECITALS**

1. Declarant is the owner of certain real property located in Douglas County, State of Nevada, described as follows:

Parcel One

Parcel 1-A per that Parcel Map filed for record on August 17, 2015 as Document Number 2015-868018, and having Assessor Parcel Number 1318-24-404-022.

Parcel Two

Parcel 2-A per that Parcel Map filed for record on August 17, 2015 as Document Number 2015-868018, and having Assessor Parcel Number 1318-24-404-023.

Parcels One and Two are hereinafter collectively referred to as the "Property", and is shown as the combined project area in Exhibit 'A'.

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. The Property was affected by a lot line adjustment approved by the TRPA on May 1, 2015, subject to certain conditions contained on said approval, including a condition that Declarant records a deed restriction permanently assuring that the maximum density for the two resultant parcels, based on parcel size, does not exceed the potential density prior to the lot line

- adjustment (three residential units of use), and therefore restricting one resultant parcel from having a guest house (secondary residential unit).
4. The same approval included an condition that Declarant records a deed restriction permanently assuring that no additional development potential in the form of additional allowable land coverage is created as a result of the lot line adjustment.
  5. Declarant additionally received revised approval from the TRPA on August 9, 2018 for the construction of a single family dwelling and access road, subject to certain conditions contained on said approval, including a condition that Declarant records 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.
  6. As a condition of the above approvals, and as required in Chapter 30, Land Coverage, Section 30.4.1.C.2.a.(iii) of the TRPA Code of Ordinances, the parcels within the above project area shall be treated as if legally consolidated for the purpose of future land coverage and density calculations within the project area.

#### **DECLARATIONS**

1. Declarant hereby declares that, for the purpose of satisfying TRPA's May 1, 2015 condition of approval, Parcel One (APN 1318-24-404-022) identified herein shall be recognized as being ineligible for a secondary residential unit of use pursuant to TRPA Code of Ordinances subsection 21.3.2.A.1.
2. Declarant further declares that, for the purpose of satisfying TRPA's August 9, 2018 condition of approval, the Property identified herein shall always be treated as if the parcels had been legally consolidated for the purpose of future land coverage and the application of TRPA ordinances pertaining thereto.
3. Declarant further declares that the Property has a total of 140,609 square feet of allowable land coverage.
4. 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 Declarant and Declarant's assigns, and all persons acquiring or owning any interest in the property.
5. 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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# ACKNOWLEDGMENT

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 El Dorado

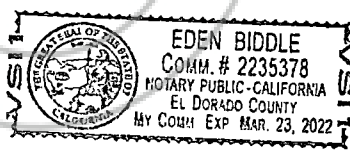
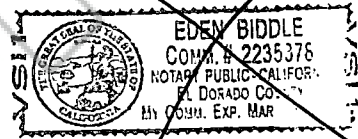
On August 27<sup>th</sup> 2018 before me, Eden Biddle - Notary Public  
(insert name and title of the officer)

personally appeared Cherif A Boudjakdji  
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 Eden Biddle (Seal)



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

Declarant's Signature:



Dated: 27 Aug 2018

Cherif A. Boudjakdji, Trustee  
Cherif A. Boudjakdki 2004 Revocable Trust

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 El Dorado )

**SEE ATTACHED  
NOTARY CERTIFICATE**



On August 27<sup>th</sup> 2018 before me, Cherif A. Boudjakdji 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: \_\_\_\_\_ (Seal)

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

APPROVED AS TO FORM:

Theresa Avance

Dated: 8/9/18

Tahoe Regional Planning Agency

Theresa Avance

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 8-9-18 before me, Linda Allen a 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 (Seal)

Name: Linda Allen  
(typed or printed)

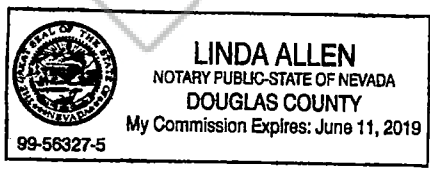
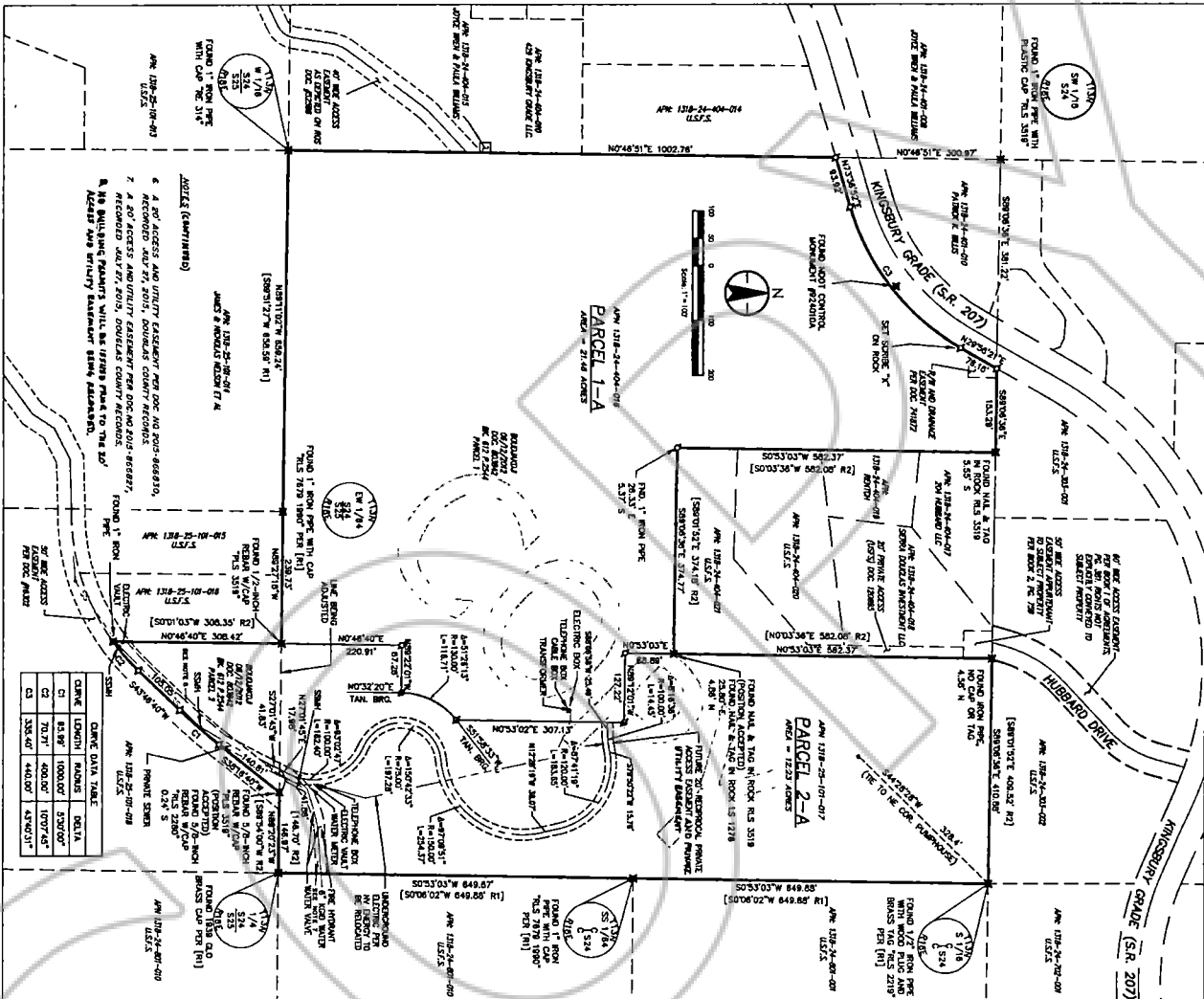


EXHIBIT 'A'



**LEGEND**

- BOUNDARY LINE
- ADJACENT PARCEL LINE
- EXISTING EASEMENT LINE
- 1/4 SECTION LINE
- ROAD/EASEMENT CENTER LINE
- FRONT WORKMAN AS NOTED
- SET 3/4\"/>

**OWNER'S CERTIFICATE**

I, I HAVE EXAMINED THE PLAN AND APPROVE AND AUTHORIZE ITS RECORDING.

I AGREE TO EXECUTE THE NECESSARY DOCUMENTS OBTAINING ANY NEW EASEMENTS WHICH ARE SHOWN HEREON PROVISIONS OF THE CONVEYANCE INSTRUMENT AND TO SIGN AND RECORD THE SAME WITHIN THE TIME SPECIFIED IN THE INSTRUMENT.

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**DEED'S CERTIFICATE**

I, I HAVE EXAMINED THE PLAN AND APPROVE AND AUTHORIZE ITS RECORDING.

I AGREE TO EXECUTE THE NECESSARY DOCUMENTS OBTAINING ANY NEW EASEMENTS WHICH ARE SHOWN HEREON PROVISIONS OF THE CONVEYANCE INSTRUMENT AND TO SIGN AND RECORD THE SAME WITHIN THE TIME SPECIFIED IN THE INSTRUMENT.

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**RECORDS CERTIFICATE**

I, I HAVE EXAMINED THE PLAN AND APPROVE AND AUTHORIZE ITS RECORDING.

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