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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
Attn: Aly Borawski, Associate Planner
TRPA File # ERSP2018-0480

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS CONCERNING
THE USE OF THE LIVING AREA ABOVE THE GARAGE ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1319-18-414-009**

This Deed Restriction is made this _____ day of _____, 20____ by Joel Laber, a single man (hereinafter "Declarant").

RECITALS

1. Declarant is the owner of certain real property described as follows:

Lot 78, as shown on the map of KINGSBURY VILLAGE, UNIT NO. 5, filed for record in the Office of the County Recorder of Douglas County, State of Nevada, on September 7, 1966, as Document No. 33786.

Said parcel was recorded in a Grant Deed, Document Number 2018-910229, on February 9, 2018 in the in the Official Records of Douglas County, Nevada and having Assessor's Parcel Number 1319-18-414-009.

2. Declarant received approval from the Tahoe Regional Planning Agency (TRPA) on May 30, 2018 to construct a new single-family dwelling with attached garage located at 340 Barton Court in Douglas County, Nevada (APN 1319-18-414-009). The attached garage will have an accessory living area above that complies with TRPA Code of Ordinances Section 21.3.6. Said garage and living area is to be accessory to the primary single family use associated with the Property and shall not be used as a separate residential unit per TRPA Code of Ordinances.

3. 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 TRPA pursuant to the Tahoe Regional Planning Compact.

4. Subsection 21.3.6 of the TRPA Code of Ordinances requires the appropriate deed restriction be recorded documenting the limits to the use of the accessory living area on the second level of the garage.

DECLARATIONS

1. Declarant hereby declares that the living area above the garage is and shall be an accessory use to and part of the primary residence on the Property, and shall not be used in a fashion as to constitute a separate residential unit per TRPA Code of Ordinances. Said living area, as an accessory use, shall not be permitted to contain cooking facilities, and shall not contain both a wet bar and bathing facilities. Either a wet bar or bathing facilities is permissible. Said living area shall not be leased, rented, or used separate from the primary residence on the Property. Use of the living area above the garage as a separate residential unit shall constitute a violation of the TRPA approval.
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 Declarant's assigns and all persons hereafter acquiring or owning any interest in the Property.
3. This Deed Restriction may not be revoked or modified 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.

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

Declarant's Signature

Joel Laber

Dated: 9/19/18

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.

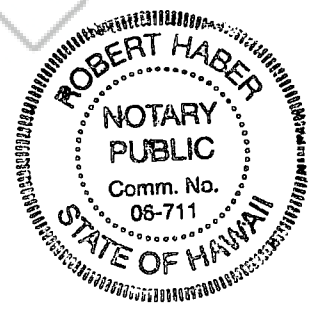
STATE OF HAWAII)
COUNTY OF HAWAII) SS.

On 9-5-2018 before me, ROBERT HABER a Notary Public, personally appeared JOEL LABER,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) 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 HAWAII that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature: [Signature] 11-19-2018 (Seal)
Name: ROBERT HABER
(typed or printed)



APPROVED AS TO FORM:

Julie Roll
Tahoe Regional Planning Agency

Dated: 8/29/18

Julie Roll

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 AUGUST 29th, 2018 before me, TRACY CAMPBELL a Notary Public, personally appeared JULIE ROLL 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: Tracy Campbell (Seal)

Name: TRACY CAMPBELL
(typed or printed)

