

**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 5310

Stateline, Nevada 89449

11000401-JL

**WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency

Post Office Box 5310

Stateline, Nevada 89449

Attn: Julie Roll, Senior Planner

TRPA File No. TRAN2018-0461

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR COMMERCIAL FLOOR AREA TRANSFER (DEED RESTRICTION)  
TO BE RECORDED AGAINST DOUGLAS COUNTY APN 1318-26-101-092**

This Deed Restriction is made this 1st day of April, 2019 by Tahoe Douglas Fire Protection District, a Nevada governmental agency (hereinafter "Declarant").

**RECITALS**

1. Declarant is the owner of commercial floor area banked on the associated real property located in Douglas County, State of Nevada, described as follows:

See Exhibit A, attached.

Said parcel was recorded in Document Number 2015-856300 on January 30, 2015, in the Official Records of Douglas County, Nevada, and having Assessor's Parcel Number 1318-26-101-092 (hereinafter "Sending Parcel").

2. The Declarant received approval from the Tahoe Regional Planning Agency (TRPA) on April 1, 2019 to transfer 5,572 square feet of commercial floor area (CFA) banked on the Sending Parcel to a Receiving Parcel, described as follows:

**PARCEL 1:**

COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 14, 15, 22, AND 23, TOWNSHIP 13 NORTH., RANGE 18 EAST., M.D.B. & M.; THENCE FROM SAID POINT OF COMMENCEMENT WESTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION 15, 1,570.00 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 50; THENCE NORTH 47°36'00" WEST ALONG SAID LINE 1,440.55 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID LINE NORTH 47°36'00" WEST 145.00 FEET; THENCE LEAVING SAID LINE NORTH 42°24'00" EAST 100.00 FEET; THENCE NORTH 80°30'10" EAST 117.91 FEET; THENCE SOUTH 03°36'00" EAST 65.41 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT THE CENTER OF WHICH BEARS SOUTH 86°24'00" WEST 82.50 FEET AN ARC DISTANCE OF 66.23 FEET; THENCE TANGENT TO THE PRECEDING CURVE SOUTH 42°24'00" WEST 88.00 FEET TO THE POINT OF BEGINNING.

**NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED SEPTEMBER 05, 2006 AS DOCUMENT NO. 683791.**

**PARCEL 2:**

**RECIPROCAL EASEMENTS AS SET FORTH IN THE DEED RECORDED OCTOBER 5, 1994 IN BOOK 1094, PAGE 559, DOCUMENT NO. 347650.**

Said parcel was recorded in Document Number 2016-885437 on August 3, 2016, in the Official Records of Douglas County, Nevada, and having Assessor's Parcel Number 1318-15-802-001 (hereinafter "Receiving Parcel").

3. The Sending Parcel and the Receiving Parcel are all 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 51 of the TRPA Code of Ordinances requires that an appropriate deed restriction be recorded documenting the transfer of **5,572 square feet of CFA** from the Sending Parcel.

#### **DECLARATIONS**

1. Declarant hereby declares that for the purpose of calculating CFA and applying TRPA ordinances related to CFA that the Sending Parcel (APN 1318-26-101-092) described above is, and shall be, deemed by TRPA to have transferred **5,572 square feet of banked CFA** and now contains **zero square feet of banked CFA**.
2. Declarant hereby declares that the transferred commercial floor area can never be transferred back to 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 Declarants and Declarants' 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.

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

Declarant's Signature:

Scott Baker Dated: 4/3/19  
Scott Baker, Chief  
Tahoe Douglas Fire Protection District

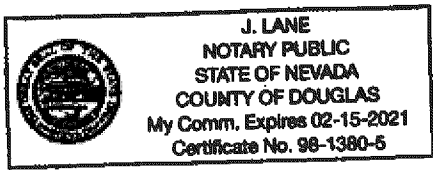
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF Nevada  
COUNTY OF Douglas ) SS.

On 4/3/19 before me, J. Lane a Notary Public, personally appeared Scott Baker 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: J. Lane (Seal)  
Name: J. Lane  
(typed or printed)



APPROVED AS TO FORM:

Julie Roll  
Tahoe Regional Planning Agency Julie Roll

Dated: 4/1/19

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 4-1-19 before me, Linda Allen 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: Linda Allen (Seal)  
Name: Linda Allen  
(typed or printed)

