

**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449



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KAREN ELLISON, RECORDER

**WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449  
Attn: Theresa Avance, Senior Planner  
TRPA File # ERSP2019-0435

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS CONCERNING  
THE USE OF THE STORAGE/LIVING AREA ABOVE THE GARAGE ("DEED RESTRICTION")  
TO BE RECORDED AGAINST APN 1318-10-414-001**

This Deed Restriction is made this 29 day of 08, 2019 by Mario R. Turpin and Kimberley Turpin, husband and wife as community property (hereinafter "Declarants").

**RECITALS**

1. Declarants are the owners of certain real property described as follows:

Lot 114, of ZEPHYR KNOLLS SUBDIVISION, UNIT NO. 4, according to the map thereof, filed in the office of the County Recorder of Douglas County, Nevada, on October 14, 1957, as Document No. 12699.

Said parcel was recorded in the Office of the Douglas County Recorder on March 13, 2018 as document number 2018-911491, and having Assessor's Parcel Number 1318-10-414-001 (hereinafter "Property").

2. Declarants received approval from the Tahoe Regional Planning Agency (TRPA) on August 5, 2019 that included the construction of a detached garage with accessory storage/living area above the garage. Said garage and storage/living area is to be accessory to the primary single family use associated with the Property.
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.

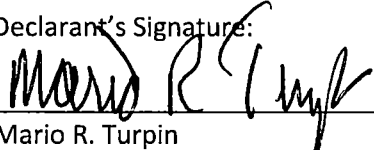
4. Subsection 21.3.6 of the TRPA Code of Ordinances requires the appropriate deed restriction be recorded documenting the limits to the use of the accessory storage/living area on the second level of the garage.

**DECLARATIONS**

1. Declarant hereby declares that the storage/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. Said storage/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 storage/living area shall not be leased, rented, or used separate from the primary residence on the Property. Use of the 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:  
  
Mario R. Turpin

Dated: 08/29/2019

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.

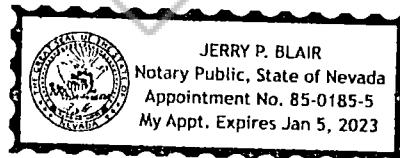
On 8/29/2019 before me, JERRY P. BLAIR a Notary Public,  
personally appeared MARIO R. TURPIN,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their 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: Jerry P. Blair (Seal)

Name: JERRY P. BLAIR  
(typed or printed)



Declarant's Signature:

Kimberley A. Turpin  
Kimberley Turpin

Dated: 8/26/19

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 )  
 ) SS.  
COUNTY OF )

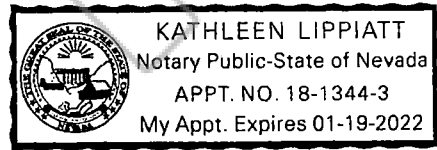
On August 20, 2019 before me, Kathleen Lippiatt a Notary Public, personally appeared Kimberley A. Turpin who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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: [Signature] (Seal)

Name: Casey Lippiatt  
(typed or printed)



APPROVED AS TO FORM:

Theresa Avance

Theresa Avance, Senior Planner  
Tahoe Regional Planning Agency

Dated: 8/26/19

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 AUGUST 26, 2019 before me, TRACY CAMPBELL 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: Tracy Campbell (Seal)

Name: TRACY CAMPBELL  
(typed or printed)

