

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
Attention: Aly Borawski
TRPA File No. TRAN2020-1004

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE TRANSFER OF LAND COVERAGE ("DEED RESTRICTION")
TO BE RECORDED AGAINST ASSESSOR'S PARCEL NUMBER (APN) 1418-34-401-007**

This Deed Restriction is made this 18th day of November, 2020, by the Carol Nan Mehrstens Trust (as 52% interest), Andrea L. Prim 2003 Irrevocable Trust (as 24% interest), and Wayne L. Prim Jr. 2003 Irrevocable Trust (as 24% interest) (hereinafter "Declarants").

RECITALS

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

See 'Exhibit A', attached hereto.

Said parcel was recorded in Document Number 2019-932597, on July 25, 2019, in the Official Records of Douglas County, Nevada and having Assessor's Parcel number APN 1418-34-401-007, (previously APN 03-210-05) (hereinafter "Sending Parcel").

- 2. The Declarants have received approval from the Tahoe Regional Planning Agency (TRPA) on November 9, 2020, to transfer 818 square feet of potential land coverage, IPES score 752, from the Sending Parcel to a receiving parcel, described as follows:

See Exhibit B, attached hereto.

Said parcel was recorded in Document Number 2019-932597, on July 25, 2019, in the Official Records of Douglas County, Nevada and having Assessor's Parcel number APN 1418-34-401-006, (previously APN 03-210-06) (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 coverage and the requirement that the area of the transferred land coverage on the Sending Parcel be 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 818 square feet of potential land coverage and to now have 245 square feet of remaining unused base allowable land coverage.
2. Declarant also hereby declares that the Sending Parcel shall be maintained in a natural state or near natural state if not developed pursuant to a TRPA permit. Declarant acknowledges that land coverage may be returned to the Sending Parcel only if TRPA approves of the transfer of such pursuant to TRPA's ordinances in effect at the time of such development. Declarant further acknowledges that any such transfer to the Sending Parcel shall be evidenced by a recorded instrument approved by TRPA. 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 Project Area 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 Project Area 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, Declarant has executed this Deed Restriction this the day and year written above.

Declarant's Signatures:

Carol Nan Mehrstens Trust dated: 11/18/2020

Carol Nan Mehrstens, Trustee:
Carol Nan Mehrstens Trust
Andrea L. Prim 2003 Irrevocable Trust
Wayne L. Prim Jr. 2003 Irrevocable 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.

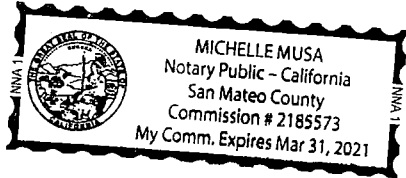
STATE OF CA)
) SS.
COUNTY OF San Mateo)

On 11/18/2020, before me, Michelle Musa Notary Public, personally appeared Carol N Mehrstens, 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 CA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature]



Additional signature page to follow.

APPROVED AS TO FORM:

Bridget K. Cornell

Dated: 11/11/2020

Bridget K. Cornell

Tahoe Regional Planning Agency

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 WASHOE)

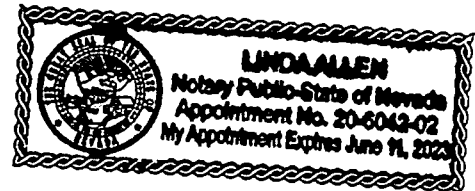
On 11-11-2020, before me, Linda Allen, Notary Public, personally appeared Bridget Cornell who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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)



End of Signatures

EXHIBIT A

(SENDING PARCEL)

LEGAL DESCRIPTION

That portion of the Southwest quarter of Section 34, Township 14 North, Range 18 East, M.D.B. & M., in the County of Douglas, State of Nevada, that is particularly described as follows:

COMMENCING at the South quarter Section corner of said Section 34; thence North 23°05'20" West (recorded as North 23°05'07" West, a distance of 595.03 feet), a distance of 594.93 feet, to a point on the Westerly right-of-way line of U.S. Highway 50, at the Northeasterly corner of the property conveyed to Ellen Eccles Harrison by deed recorded September 1, 1960 in Book 3 of Official Records at Page 499, Douglas County, Nevada Records; thence North 89°56'12" West along the North line of said Harrison property, a distance of 171.80 feet; to the TRUE POINT OF BEGINNING; thence from the TRUE POINT OF BEGINNING and continuing along the North line of said Harrison property North 89°56'12" West, a distance of 340.68 feet to a point in the centerline of a 20.0 foot wide roadway right-of-way as described in Book 9 of Official Records at Page 225, Douglas County, Nevada Records; thence along said roadway centerline North 76°00'00" East, a distance of 125.30 feet to an angle point; thence continuing along said centerline North 47°23'50" East, a distance of 114.00 feet to a point in the centerline of the roadway right-of-way as described in Book 9 of Official Records at Pages 224 and 226, Douglas County, Nevada Records; thence South 89°56'12" East along said centerline, a distance of 135.00 feet; thence South 00°03'48" West, a distance of 107.79 feet to the TRUE POINT OF BEGINNING.

Assessor's Parcel No. 1418-34-401-007

TOGETHER WITH the right to use, in common with others so entitled, that right-of-way described in document dated May 2, 1957, recorded in the office of the Recorder of Douglas County, Nevada on May 7, 1957 in Book C-1 of Deeds, Page 371 and as described in Book 9 of Official Records at Pages 224, 225, 226 and 227, Douglas County, Nevada records for the purpose of ingress and egress to and from the above described parcel of real property.

EXHIBIT B

(RECEIVING PARCEL)

LEGAL DESCRIPTION

That portion of the Southwest quarter of Section 34, Township 14 North, Range 18 East, M.D.B. & M., in the County of Douglas, State of Nevada, that is particularly described as follows:

COMMENCING at the South quarter Section corner of said Section 34; thence North 23°05'20" West (recorded as North 23°05'07" West, distance of 595.03 feet), a distance of 594.93 feet, to a point on the Westerly right-of-way line of U.S. Highway 50, at the Northeasterly corner of the property conveyed to Ellen Eccles Harrison by deed recorded September 1, 1960 in Book 3 of Official Records at Page 499, Douglas County, Nevada Records, the TRUE POINT OF BEGINNING; thence from the TRUE POINT OF BEGINNING North 89°56'12" West along the North line of said Harrison property, a distance of 171.80 feet; thence North 00°03'48" East, a distance of 107.79 feet to a point in the centerline of a 20.0 foot wide roadway right-of-way as described in Book 9 of Official records at Pages 224 and 226, Douglas County, Nevada Records; thence South 89°56'12" East along said right-of-way centerline, a distance of 150.00 feet to a point in the Westerly right-of-way line of U.S. Highway 50; thence South 11°22'15" East along said Westerly right-of-way line, a distance of 109.97 feet to the TRUE POINT OF BEGINNING.

Assessor's Parcel No. 1418-34-401-006

TOGETHER WITH the right to use, in common with others so entitled, that right-of-way described in document dated May 2, 1957, recorded in the office of the Recorder of Douglas County, Nevada on May 7, 1957 in Book C-1 of Deeds, Page 371 and as described in Book 9 of Official Records at Pages 224, 225, 226 and 227, Douglas County, Nevada records for the purpose of ingress and egress to and from the above described parcel of real property.