

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: Alyson Borawski, Senior Planner
TRPA File No. TRAN2021-0104

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR COVERAGE ASSIGNMENT ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1318-22-002-103**

This Deed Restriction is made this 18 day of MARCH, 2021, by Tahoe Kaizen, LLC a Wyoming limited liability company, pursuant to two Irrevocable Power of Attorney documents recorded in the office of the Douglas County Recorder on May 9, 2016 as Document Number 2016-880533 and 2016-880534, entitled by Falcon Capital, LLC, a Wyoming limited liability company pursuant to an Amended and Restated Irrevocable Power of Attorney recorded in the Office of the Douglas County Recorder on March 13, 2007 as Document Number 0696977 in Book 0307, Page 3948, entitled by Meadow Brook Associates, LP, a Nevada limited liability partnership. (Hereinafter "Declarant").

RECITALS

1. Declarant is authorized to transfer land coverage from certain real property located in Douglas County, State of Nevada, described as follows:

Parcel 1 as set forth on Parcel Map LDA 03-088 for Meadow Brook Associates, L.P. filed for record in the Office of the County Recorder of Douglas County, State of Nevada on November 12, 2004, Book 1104, Page 5494, Document No. 629016, and having Assessor Parcel Number 1318-22-002-103 (hereinafter "Sending Parcel")

2. The Declarant has received approval from the Tahoe Regional Planning Agency (TRPA) on March 10, 2021, to transfer **1,300 square feet** of banked Class 1b land coverage from the Sending Parcel to two receiving parcels, described as follows:

That property in City of South Lake Tahoe, El Dorado County, State of California, described as:

Lots 7 and 8, Block 31 of New Bijou Park Addition, filed January 15, 1947, in Book A of Maps, at Page 73, El Dorado County Records.

Said parcel was recorded in Document Number 2016-0020025-00 on May 9, 2016, in the Official Records of El Dorado County, California, and having Assessor's Parcel Number 027-311-32 and 027-311-31 (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 restored and 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 **1,300 square feet** of banked Class 1b land coverage and to now have **44,106 square feet** of banked Class 1b land coverage remaining.
2. Declarant also hereby declares that the transferred coverage can never be transferred back to the Sending Parcel, and that such area shall be restored in a natural state or near natural state if not redeveloped pursuant to a TRPA permit. Declarant also declares that Declarant is permanently restricted from transferring the coverage back to the Sending Parcel. 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 Parcel 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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APPROVED AS TO FORM:

Alyson Borawski

Alyson Borawski, Senior Planner
Tahoe Regional Planning Agency

DATED: 3/17/21

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 March 17, 2021 before me, TRACY CAMPBELL a
Notary Public, personally appeared ALYSON BORAWSKI
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)

