

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
Attn: Tiffany Good, Principal Planner
TRPA File No.: ERSP2020-0124

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PROJECT AREA SCENIC CALCULATION AND SHOREZONE DEVELOPMENT LIMITATIONS ("DEED
RESTRICTION")
TO BE RECORDED AGAINST APNs 1318-03-110-018, 1318-03-110-019, AND 1318-03-110-020**

This Deed Restriction is made this 16th day of February, 2021, by Richard E. Molsby and Andrea G. Bollakis, Trustees of the Molsby & Bollakis Trust, dated December 18, 2018; John Thompson Willey II and Marilyn Ann Willey, Trustees of the Willey Living Trust dated 12-4-13; and Patrick A. Kohlmann and Miyeko Yoneda Kohlmann, as Co-Trustees of the 2011 Yoneda Irrevocable Trust, Dated February 23, 2011(hereinafter "Declarants").

RECITALS

1. Declarants are the owners of certain real property located in Douglas County, State of Nevada, described as follows:

Parcel No. 1:

Lot 15, as shown on the map entitled Skyland Subdivision No. 1., filed for record in the office of the County Recorder of Douglas County, Nevada, on February 27, 1958 in Book 1, of Maps, page 181, as Document No. 12967.

Parcel No. 2:

A portion of the land lying between the low water line of Lake Tahoe as it existed on April 12, 1870 and the property shown on the map of Skyland Subdivision No. 1, filed in the office of the recorder of Douglas County, Nevada on February 27, 1958, that is appurtenant to Lot shown on said map and numbered 15.

Excepting any portion of the above described property lying within the bed of Lake Tahoe below the line of natural ordinary high water and also excepting any artificial accretions to the land waterward of the line of natural ordinary high water or, if lake level has been artificially lowered, excepting any portion lying below an elevation of 6,223.00 feet, Lake Tahoe Datum established by NRS 321.595.

Parcel NO. 3:

An Easement for access to the waters of Lake Tahoe and for beach and recreational purposes over Lots 32 and 33, as shown on the file map referred to hereing as reserved in the Deed from Stockton Garden Homes Inc., a California Corporation to Skyland Water Co., a Nevada Corporation, recorded February 5, 1960 in Book 1 of Official Records, at page 268, as Document No. 15573, Douglas County, Nevada.

Said parcels are commonly known as: 1050 Skyland Drive, Zephyr Cove, Nevada 89413, APN: 1318-03-110-018

Said parcels were recorded under Document No. 2020-941261 on January 23, 2020 in the office of the County Recorder of Douglas County, State of Nevada, and having Assessor's Parcel Number 1318-03-110-018.

AND

Lot 16 as shown on the map of Skyland Subdivision No. 1, filed in the office of the County Recorder of Douglas County, State of Nevada on February 27, 1958 in Book 1, Page 181, as Document No. 12967.

Together with the right of access to the waters of Lake Tahoe and for beach and recreational purposes over Lots 32 and 33 as shown on the filed map referred to herein as reserved in the Deed from Stockton Gardens Homes, Inc., a California corporation to Skyland Water Co., a Nevada corporation, recorded in February 5, 1960 in Book 1 of Official Records at Page 268, Douglas County, Nevada.

Excepting any portion of the above described property lying within the bed of Lake Tahoe below the line of Natural Ordinary Low Water and also excepting any artificial accretions to the land water ward of the line of natural ordinary water or, if Lake level has been artificially lowered, excepting any portion lying below and elevation of 6,223.00 feet, Lake Tahoe Datum established by NRS 321.595.

Said parcels were recorded under Document No. 8848764 on August 29, 2014 in the office of the County Recorder of Douglas County, State of Nevada, and having Assessor's Parcel Number 1318-03-110-019.

AND

Lot 17, as shown on the Map of Skyland Division No. 1, filed in the office of the County Recorder of Douglas County, State of Nevada on February 27, 1895 in Book 1, Page 181, Document No. 12967.

TOGETHER WITH the right of access to the waters of Lake Tahoe and for beach and recreational purposes over Lots 32 and 33 as shown on the filed map referred to herein as reserved in the Deed from Stockton Garden Homes, Inc., a California Corporation to Skyland Water Co., a Nevada Corporation, recorded on February 5, 1960, in Book 1 of Official Records at Page 268, Douglas County, Nevada.

Said parcel was recorded under document number 0779648 on March 9, 2011, in the Official Records of Douglas County, Nevada, and having Assessor's Parcel Number 1318-03-110-020.

The above parcels are hereinafter collectively referred to as the "Property."

2. The Property is located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 96-551, Stat. 3233, 1980), which region is subject to the regional plan and the ordinances adopted by the Tahoe Regional Planning Agency (hereafter "TRPA") pursuant to the Tahoe Regional Planning Compact.
3. Declarants received approval from the TRPA on September 30, 2020, for a new multiple-parcel pier subject to certain conditions contained on said approval, including a condition that Declarants record a deed restriction permanently assuring that the parcels within the project area shall be limited to one shared pier amongst the four parcels as well as always be considered as if legally consolidated for purposes of scenic contrast scoring.

DECLARATIONS

1. Declarant hereby declares that, for the purpose of satisfying TRPA's September 30th, 2020, condition of approval, the Property identified herein shall always be treated as if legally consolidated for the purpose of scenic contrast ratings calculations and the application of TRPA ordinances pertaining to scenic calculations.
2. Declarant hereby declares that, for the purposes of satisfying TRPA's September 30th, 2020 condition of approval, the Property identified herein shall be limited to one shared pier, extinguishing the ability for any single parcel within the project area to pursue an additional pier.
3. This Deed Restriction shall be deemed a covenant running with the land, or an equitable servitude, as the case may be, and shall be binding on the Declarant and Declarants' assigns, and all persons acquiring or owning any interest in the property.
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 shall be 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, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

[Handwritten Signature]

Dated: 2/16/2021

Richard E. Molsby, Trustee
Molsby & Bollakis 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 NV)
) SS.
COUNTY OF Douglas

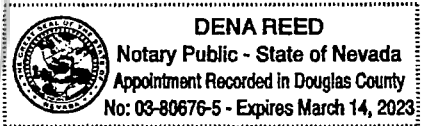
On Feb 16, 2021 before me, Dena Reed a Notary Public, personally appeared Richard E. Molsby who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized 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 NV that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature] (Seal)

Name: Dena Reed
(typed or printed)



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

Declarant's Signature:

Andrea G. Bollakis
Andrea G. Bollakis, Trustee
Molsby & Bollakis Trust

Dated: 2/16/2021

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 NV)
) SS.
COUNTY OF Douglas

On Feb 16, 2021 before me, Dena Reed a Notary Public, personally appeared Andrea G. Bollakis 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.

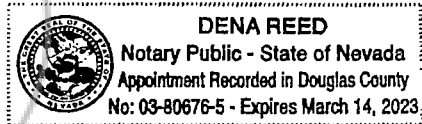
I certify under PENALTY OF PERJURY under the laws of the State of NV that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Dena Reed

(Seal)

Name: Dena Reed
(typed or printed)



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

Declarant's Signature:

John Thompson Willey II
John Thompson Willey II, Trustee
Willey Living Trust, dated 12-4-13

Dated: 3/12/21

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) California
) SS.
COUNTY OF) Santa Clara

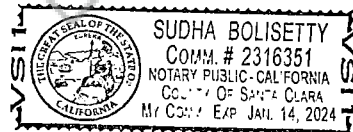
On 3/12/2021 before me, Sudha Bolisetty a Notary Public, personally appeared John Thompson Willey II who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: B. Sudh (Seal)

Name: SUDHA BOLISSETTY
(typed or printed)



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

Declarant's Signature:

Marilyn Ann Willey

Marilyn Ann Willey, Trustee
Willey Living Trust, dated 12-4-13

Dated: 3/12/21

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) California
) ss.
COUNTY OF) Santa Clara

On 3/12/2021 before me, Sudha Bolisetty a Notary Public,
personally appeared Marilyn Ann Willey

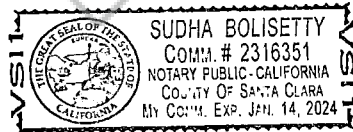
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), 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 California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature: B. Sudh (Seal)

Name: SUDHA BOLISETTY
(typed or printed)



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

Declarant's Signature:

[Handwritten Signature]

Dated: 2/9/2021

Patrick A. Kohlmann, Co-Trustee
2011 Yoneda Irrevocable Trust, Dated February 23, 2011

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 SANTA CLARA

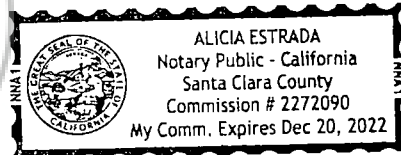
On FEB. 9, 2021 before me, ALICIA ESTRADA a Notary Public, personally appeared PATRICK A. KOHLMANN who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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 CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature] (Seal)

Name: ALICIA ESTRADA
(typed or printed)



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

Declarant's Signature:

[Handwritten Signature]

Dated: 2/9/2021

Miyeko Yoneda Kohlmann, Co-Trustee
2011 Yoneda Irrevocable Trust, Dated February 23, 2011

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STATE OF CA)
) SS.
COUNTY OF SANTA CLARA

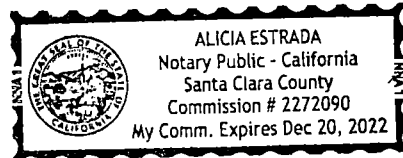
On FEB. 9, 2021 before me, ALICIA ESTRADA a Notary Public, personally appeared MIYEKO YONEDA KOHLMANN who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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 CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature] (Seal)

Name: ALICIA ESTRADA
(typed or printed)



APPROVED AS TO FORM:

Tiffany Good
Tiffany Good, Principal Planner
Tahoe Regional Planning Agency

Dated: 2/3/21

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 February 3rd, 2021 before me, TRACY CAMPBELL a Notary Public,
personally appeared TIFFANY GOOD
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)

