

APNs: 1318-09-811-013

RECORDING REQUESTED BY:
Douglas County Community Development
PO Box 218
Minden, Nevada 89423
Attn: Lorenzo Mastino, Senior Planner
Douglas County File Number DP21-0240



KAREN ELLISON, RECORDER

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAND
COVERAGE TRANSFER TO DOUGLAS COUNTY LAND BANK TO BE RECORDED
AGAINST ASSESSOR'S PARCEL NUMBER (APN) 1318-09-811-013**

("DEED RESTRICTION")

This Deed Restriction is made this 26 day of October, 2021, by
Timothy Waite Wheeler, Property Owner of Sending Parcel, hereinafter ("Declarant").

WITNESSETH:

1. Declarant is the owner of certain real property located in Douglas County, State of Nevada, and Assessor's Parcel Number **1318-09-811-013**, Address 638 Lakeview Drive, Zephyr Cove, NV 89448 described as follows:

The parcel described in Exhibit "A" attached hereto and incorporated by reference.
2. Declarant has received verification of 372 square feet of banked restored Class 1a land coverage located within the Cave Rock Hydrologic Area per Tahoe Regional Planning Agency (TRPA) File Number VBOC 2008-0251.
3. The Douglas County Land Bank was established by a Memorandum of Understanding between the TRPA and Douglas County, Nevada recorded on April 11, 2000 in Book 0400, page 1672 as document 0489695.
4. Declarant desires to transfer the 372 square feet of land coverage from the Sending Parcel to the Douglas County Land Bank on account and for the sole benefit of Roy Emil Clason, Jr., his heirs, successors and assigns.

DECLARATIONS:

1. Declarant hereby declares that upon recordation of this Deed Restriction, 372 square feet of restored banked Class 1a land coverage located within the Cave Rock Hydrologic Zone shall be deemed transferred to the Douglas County Land Bank on account and for the sole benefit of Roy Emil Clason Jr., his heirs, successors and assigns; free of any claims or interest of the Declarant.
2. The area of the transferred land coverage on the Sending Parcel must be maintained now and in the future in a natural or near-natural state and that Declarant shall make provisions to protect the area from future disturbance.
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 shall be binding on the Declarant and Declarant's assigns and all persons acquiring or owning any interest in the Sending Parcel.

IN WITNESS WHEREOF, the Declarant has executed this Deed Restriction on the day and year written above.

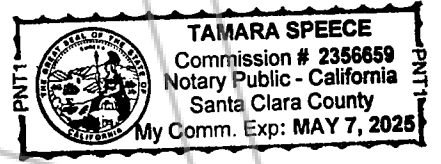
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DECLARANT'S SIGNATURE

[Signature]
Timothy Waite Wheeler

Dated: 10/26/21

STATE OF NEVADA)
) *SS State of California*
COUNTY OF DOUGLAS) *SS County of Santa Clara*



On this 28th day of October, 20 21, before me, personally appeared Timothy Waite Wheeler personally known to me or proved to me to be on the basis of satisfactory evidence to be the person 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 of the person(s) or the entity upon behalf of which the person(s) acted executed the instrument.

[Signature]
NOTARY PUBLIC



APPROVED AS TO FORM:

Bridget K. Cornell
Bridget K. Cornell, Associate Planner
Tahoe Regional Planning Agency

Dated: October 28, 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 NEVADA)
) SS.
COUNTY OF WASHOE)

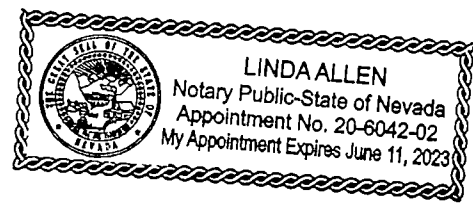
On 10-28-2021 before me, Linda Allen a Notary Public,
personally appeared Bridget K Cornell,
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the
within instrument and acknowledged to me that she executed the same in her authorized capacity, and
that 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: [Handwritten Signature] (Seal)

Name: Linda Allen
(typed or printed)



APPROVED AS TO FORM

[Signature]
Douglas County Community Development

Dated: 11/5/21

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On this 5th day of November, 2021, before me, personally appeared Lorenzo Mastino personally known to me or proved to me to be on the basis of satisfactory evidence to be the person 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 of the person(s) or the entity upon behalf of which the person(s) acted executed the instrument.

[Signature]
NOTARY PUBLIC



EXHIBIT A

LEGAL DESCRIPTION FOR APN 1318-09-811-013

The Land is described as follows:

All of 10, in Block 1, as shown on the Map of Zephyr Heights Subdivision, filed in the Office of the County Recorder of Douglas County, Nevada, recorded on July 5, 1947, as Document No. 5160.

Excepting therefrom the following described parcel of land:

Commencing at the common corners of Lots 10 and 11, at the point where said common corners intersect with the easterly boundary of Highway 50;

Thence easterly along the dividing line between Lots 10 and 11, as distance of 90 feet;

Thence southerly across Lot 10 to a point on the dividing line between Lots 9 and 10, such point being 100 feet from the Westerly boundary of Lot 10, where said boundary intersects Highway 50, at the common corners of Lots 9 and 10, at the point;

Thence westerly along the dividing line between Lots 9 and 10, a distance of 100 feet to the easterly boundary of Highway 50;

Thence Northerly along the westerly boundary of Lot 10, a distance of 100 feet to the Point of Beginning.

Said parcel being approximately the Westerly half of Lot 10.

Note: the above legal description previously appeared in Quitclaim Deed, recorded July 8, 2005, as Document No. 649213, of Official Records.

Assessor's Parcel No.: 1318-09-811-013