

RECORDING REQUESTED BY:

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



SHAWNYNE GARREN, RECORDER

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
Attn: Justin Lanoff, Shoreline Planning Technician
TRPA File No.: MOOR2021-1846

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR CALCULATING MOORING DEVELOPMENT POTENTIAL AND APPLYING MOORING DEVELOPMENT
STANDARDS ("DEED RESTRICTION")
TO BE RECORDED AGAINST APNs 1418-15-701-001 AND 1418-15-701-002**

This Deed Restriction is made this 31st day of August, 2023, by SSS Repeat LLC, a Delaware limited liability company (hereinafter "Declarants").

RECITALS

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

All the real property situate in the County of Douglas, State of Nevada, described as follows:

PARCEL I:

Parcel 2 as set forth on that certain parcel of map of Whispering Pines of Glenbrook, filed for record in the office of the County Recorder of Douglas County, Nevada on December 15, 1980 in book 1280, page 1056, as document 51677.

Together with that land conveyed in individual grant deed recorded October 12, 1994 in book 1094, at page 2164, as document No. 348425 of official records, described as follows:

All that portion of Parcel 3, as shown on that certain parcel map filed for record on September 15, 1980 as document 51677 in the office of the County Recorder of Douglas County, State of Nevada, more particularly described as follows:

Beginning at the southwest corner of said Parcel 3; thence North 78°25'53" East 143.14 feet; thence South 75°32'04" East 248.32 feet to a point on the southerly line of Parcel 3; thence along said southerly North 86°08'36" West 349.90 feet; thence North 72°46'22" West 33.06 feet to the point of beginning.

Excepting therefrom 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 waterward of the line of natural ordinary low 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.

Reference is made to the record of survey map filed November 22, 1991 as file 265563 and October 12, 1994 as file 348426 of official records.

The above metes and bounds description appeared previously in that certain document recorded June 21, 2001 in book 601, at page 5597 as document 516853 of official records.

(Assessor's Parcel No. 1418-15-701-001)

PARCEL II:

Parcel 3 as set forth on that certain parcel map of Whispering Pines of Glenbrook, filed for record in the office of the Douglas County Recorder on December 15, 1980 in book 1280, page 1056, as document 51677.

Excepting therefrom that portion thereof described in the deed recorded October 12, 1994 in book 1094, page 2164, document 348425.

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 waterward of the line of natural ordinary low 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.

(Assessor's Parcel No. 1418-15-701-002)

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 August 31st, 2023 for one (1) new (additional) mooring buoy subject to certain conditions contained on said approval, including a condition that the Declarants record a deed restriction permanently assuring that the Property shall be considered a project area for the purposes of calculating mooring development potential and applying mooring development standards.

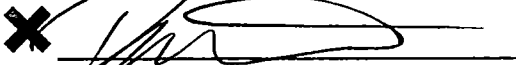
DECLARATIONS

1. Declarant hereby declares that, for the purposes of satisfying TRPA's August 31st, 2023 condition of approval (TRPA file number MOOR2021-1846), the Property identified herein shall be considered a project area for the purposes of calculating mooring development potential and applying mooring development standards. The mooring development potential of each individual parcel remains, as the parcels are not treated as if legally consolidated, but the total number of moorings in the project area shall be used in determining each parcel's eligibility for future mooring allocations. This does not apply to other shorezone structures, including piers.
2. 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.
3. 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:

~~X~~ 
David Stein, Manager
SSS Repeat LLC
a Delaware limited liability company

Dated: 10/17/2023

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 Connecticut
COUNTY OF New Haven ss. Guilford; CT

On October 17, 2023 before me, Beth L. Parmelee a Notary Public, personally appeared David Stein 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 Connecticut that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature: Beth Parmelee (Seal)

Name: Beth L. Parmelee
(typed or printed)



BETH L. PARMELEE
Notary Public, State of Connecticut
My Commission Expires Dec. 31, 2024

APPROVED AS TO FORM:

[Signature]
Julie Roll, Senior Planner
Tahoe Regional Planning Agency

Dated: 9/5/23

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 September 5, 2023 before me, Jessica Gillies a Notary Public, personally appeared Julie Roll 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: Jessica Gillies
(typed or printed)

