



SHAWNYNE GARREN, RECORDER

RECORDING REQUESTED BY:

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

WHEN RECORDED MAIL TO:

Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
Attn: Theresa Avance, Senior Planner
TRPA File # ERSP2023-0950

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
TO RETAIN A SECOND DRIVEWAY AS A FIRE LANE ("DEED RESTRICTION")
TO BE RECORDED AGAINST APN 1318-15-311-003**

This Deed Restriction is made this 20th day of Aug, 2024 by Anita Linn Presta, a single woman, as to an undivided 50% interest and Caroline Jane Erwin, and unmarried woman, as to an undivided 50% interest, as tenants in common (hereinafter "Declarants").

RECITALS

1. Declarants are the owners of certain real property described as follows:

Lot 5, in Book B, of Round Hill Village Unit No. 3, according to the map thereof, filed in the Office of the County Recorder of Douglas County, Nevada, on November 24, 1965, as Document No. 30185.

Said parcel was recorded on March 31, 2022 as document number 2022-983198 in the Office of the Douglas County Recorder and having Assessor's Parcel Number 1318-15-311-003 (hereinafter "Property").
2. Declarants received approval from the Tahoe Regional Planning Agency (TRPA) on July 26, 2024 to construct a new detached garage with a new driveway for an existing single family dwelling. Said new driveway is in addition to the existing driveway on the parcel.
3. 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 TRPA pursuant to the Tahoe Regional Planning Compact.
4. Subsection 34.4.3 of the TRPA Code of Ordinances requires that single family dwellings be served by a single driveway from the public right-of-way or other access road.

5. In consideration of documentation from the Tahoe Douglas Fire Protection District (TDFPD) that requires emergency vehicle access to within 150 feet of the existing single-family dwelling, a deed restriction will be recorded to allow the property to retain the existing driveway as a gated fire lane for emergency access.

DECLARATIONS

1. Declarants hereby declare that the existing driveway on the Property will be retained as a gated fire lane to be used solely for emergency access and shall not be used in a fashion as to constitute a second driveway for non-emergency vehicle parking. Said fire lane shall include gated access that meets the TDFPD gate requirements. Snow removal for the said fire lane shall be maintained by the Property owner. Use of the fire lane for non-emergency vehicle parking shall constitute a violation of the TRPA approval.
2. 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 Property described above and shall be binding on the Declarant and Declarant's assigns and all persons hereafter acquiring or owning any interest in the Property.
3. This Deed Restriction may not be revoked or modified without the prior express written and recorded consent of the Tahoe Regional Planning Agency 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.

///
///
///

APPROVED AS TO FORM:

Theresa Avance

Theresa Avance, Senior Planner
Tahoe Regional Planning Agency

Dated: 8/20/2024

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 August 20, 2024 before me, Jessica Gillies a Notary Public,
personally appeared Theresa Avance

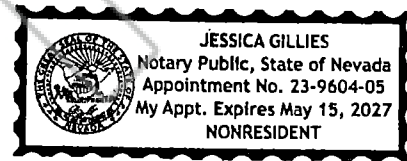
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

Name: Jessica Gillies
(typed or printed)



Declarant's Signature:

Caroline Jane Erwin
Caroline Jane Erwin

Dated: 8/23/2024

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

COUNTY OF San Francisco SS.

On 08/23/2024 before me, Elena Miguel a Notary Public, personally appeared Caroline Jane Erwin 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: [Signature] (Seal)

Name: Elena Miguel
(typed or printed)

